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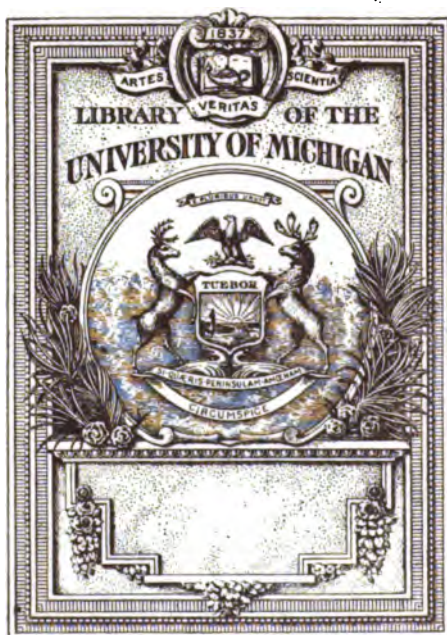
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NAVAL WAR COLLEGE

INTERNATIONAL LAW DOCUMENTS
NEUTRALITY
BREAKING OF DIPLOMATIC RELATIONS
WAR
WITH NOTES

1917



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1917

NAVAL WAR COLLEGE, Newport

INTERNATIONAL LAW DOCUMENTS



NEUTRALITY
BREAKING OF DIPLOMATIC RELATIONS
WAR
WITH NOTES

1917



WASHINGTON
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1918

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PREFACE.

As in 1915 and in 1916 so in 1917 it is not possible to offer final opinions in matters relating to the conduct of the war which has been going on since July, 1914.

On April 6, 1917, the United States declared war against Germany and on December 7, 1917, declared war against Austria-Hungary.

The discussions upon international law at the Naval War College during 1917, conducted by George Grafton Wilson, LL. D., professor of international law in Harvard University, have given special attention to the breaking of diplomatic relations and to the outbreak of war. Prof. Wilson desires to acknowledge valued cooperation of others in gathering and translating some of the documents.

Official and other documents relating particularly to the events leading up to hostilities and to declarations of war have been under consideration. The documents in this volume are among those discussed. Many of these documents are translated from foreign languages. In such cases the language of issue of the documents is usually the only official text. While some of these documents are easily accessible, they are usually scattered; others have been published locally and have not yet appeared in any collection. The arrangement is, in general, chronological under the name of the State issuing the document. Since some of the documents relate to several subjects, the index has been made unusually complete in order that the volume may be easily serviceable.

As in previous years, the Naval War College desires to receive such questions as officers may deem worthy of consideration, and for such questions the documents herewith published may furnish many suggestions.

J. P. PARKER,

Acting President, Naval War College.

DECEMBER 26, 1917.

TABLE OF CONTENTS.

	Page.
Declarations of war, July 28, 1914, to December 31, 1917.....	15
Breaking of diplomatic relations, July 26, 1914, to December 31, 1917	16
Arabia:	
Proclamation of independence of Hedjaz, June 27, 1916....	17
Proclamation of Bagdad, March 19, 1917.....	20
Argentine Republic:	
General order, sojourn, August 6, 1914.....	22
General order, sojourn, August 17, 1914.....	23
Circular, telegraphy and radiotelegraphy, August 18, 1914..	24
General order, radiotelegraphy, August 19, 1914.....	25
General order, radiotelegraphy, October 2, 1914.....	25
General order, coaling of merchant vessels, October 14, 1914.	25
Circular, radiotelegraphy, November 5, 1914.....	26
General order, radiotelegraphy, November 18, 1914.....	27
General order, radiotelegraphy, December 8, 1914.....	27
Circular, radiotelegraphy, December 9, 1914.....	29
General order, sojourn, December 26, 1914.....	29
General order, transfer of flag, December 26, 1914.....	30
General order, internment, January 18, 1915.....	30
General order, internment, January 22, 1915.....	31
General order, internment, February 26, 1915.....	31
General order, neutrality declaration, August 27, 1915.....	32
General order, radiotelegraphy, September 9, 1915.....	33
Decree, radiotelegraphy, September 9, 1915.....	34
General order, radiotelegraphy, November 8, 1915.....	36
General order, coaling of merchant vessels, March 28, 1917..	36
Note stating attitude toward war, April 11, 1917.....	37
Note dismissing German minister, September 12, 1917.....	37
Passport to German minister, September 12, 1917.....	37
Note to German Government, September 13, 1917.....	38
Austria-Hungary:	
Ultimatum to Serbia, July 22, 1914.....	38
Note, commenting on Serbian reply, July 27, 1914.....	42
Notification of breaking diplomatic relations with Serbia, July 25, 1914.....	49
Declaration of war against Serbia, July 28, 1914.....	49
Notification of declaration of war against Serbia, July 28, 1914.....	49
Declaration of war against Russia, August 6, 1914.....	50

Austria-Hungary—Continued.	Page.
Declaration of war against Belgium, August 22, 1914.....	51
Instructions in regard to Japan, August 24, 1914.....	51
Note breaking diplomatic relations with United States, April 8, 1917.....	52
Notification, blockade of Montenegro, August 10, 1914....	53
Belgium:	
Protest against proposed German violation of neutrality, August 3, 1914.....	53
Note breaking diplomatic relations with Germany, August 4, 1914.....	54
Notification to guaranteeing powers of violation of neutral- ity, August 4, 1914.....	54
General notification of violation of neutrality, August 5, 1914	55
Notes relating to neutrality of Congo, August 7, 1914.....	56
Notification of departure of Belgium minister from Luxem- burg, August 10, 1914.....	57
Note replying to Austrian declaration of war, August 29, 1914	58
Note breaking diplomatic relations with Turkey, November 6, 1914.....	59
Bolivia:	
Presidential message relating to neutrality, 1915.....	59
Report of minister of foreign affairs, 1916.....	60
Note breaking diplomatic relations with Germany, April 14, 1917.....	60
Brazil:	
Decree of neutrality, August 4, 1914.....	61
Decree, discharge of merchandise, August 24, 1914.....	62
Decree, amending neutrality regulations, October 14, 1914..	62
Decree, taking over of national vessels, December 9, 1915..	63
Notification of breaking diplomatic relations with Germany, April 11, 1917.....	64
Note, revocation of neutrality, June 4, 1917.....	64
Declaration of war against Germany, October 26, 1917.....	65
Bulgaria:	
Declaration of neutrality, July 29, 1914.....	66
Notification of hostilities with Serbia, October 12, 1915...	66
Notification of war with Serbia, October 14, 1915.....	66
Declaration of war against Roumania, September 1, 1916..	67
Proclamation of war against Roumania, September 1, 1916..	68
Announcement of mining of coast, October 15, 1915.....	69
Chile:	
Decree, sojourn, September 30, 1915.....	69
China:	
Presidential mandate breaking diplomatic relations with Germany, March 14, 1917.....	70

China—Continued.

	Page
Note breaking diplomatic relations with Germany, March 14, 1917.....	71
Presidential mandate declaring war on Germany and Austria-Hungary, August 14, 1917.....	71
Declaration of war against Germany, August 14, 1917.....	73
Declaration of war against Austria-Hungary, August 14, 1917.....	74
Notification of declaration of war against Germany and Austria-Hungary, August 14, 1917.....	75
Notification to the United States of declaration of war against Germany and Austria-Hungary, August 14, 1917.	76
Congo. (<i>See</i> Belgium, Great Britain.)	
Costa Rico:	
Note stating attitude toward war, April 12, 1917.....	77
Cuba:	
Declaration of war against Germany, April 7, 1917.....	77
Denmark (<i>see also</i> Norway):	
Proclamation, neutrality, August 1, 1914.....	78
Law, protection of neutral territory, August 2, 1914.....	79
Law, protection of neutral territory, August 2, 1914.....	80
Law, supervision of foreigners, August 2, 1914.....	80
Law, compulsory pilotage, August 2, 1914.....	80
Notification, service on belligerent vessels, August 11, 1914.	82
Law, penalties for violations of neutrality, September 9, 1914.	82
Law, penalties for false declaration of destination, October 29, 1914.....	82
Notification, use of foreign flag, April 10, 1915.....	83
Law, registration of vessels, May 7, 1915.....	83
Law, penalties for unneutral utterances, June 17, 1915.....	84
Notification, sale of vessels, October 6, 1915.....	84
Law, penalties for false declaration of destination, April 5, 1916.....	85
Dominican Republic:	
Decree, clearance of merchant vessels, November 25, 1914..	85
Decree, clearance of merchant vessels, January 5, 1915.....	86
France:	
War declarations—	
Notification of war with Germany, August 4, 1914.....	86
Note relating to breaking of diplomatic relations with Austria-Hungary, August 10, 1914.....	87
Notification of declaration of war against Austria-Hungary, August 13, 1914.....	88
Notice of declaration by Triple Entente, September 4, 1914.....	89
Declaration, war with Turkey, November 5, 1914.....	90
Declaration of war against Bulgaria, October 16, 1915..	91

France—Continued.	Page.
Blockades and commercial restrictions.	
Notification, blockade of Cameroons, April 23, 1915...	91
Notification, restriction of Cameroons blockade, January 10, 1916.....	91
Notification, raising of Cameroons blockade, March 1, 1916.....	92
Notification, blockade of Asia Minor, June 2, 1915....	92
Notification, blockade of Asia Minor and Syria, August 25, 1915.....	92
Notification, blockade of Bulgaria, October 16, 1915...	92
Notification, blockade of Cavalla, September 16, 1916.	93
Notification, blockade of Greece, December 8, 1916...	93
Decree, retaliatory measures against German trade, March 13, 1915.....	94
Miscellaneous war measures—	
Notification of mined area, October 6, 1914.....	97
Memorandum, sojourn of belligerent submarines in neutral waters, August 21, 1916.....	98
Germany:	
War ultimatums and declarations—	
Ultimatum to Russia, July 31, 1914.....	100
Declaration of war against Russia, August 1, 1914.....	100
Note, military measures in Luxemburg, August 2, 1914.	101
Ultimatum to Belgium, August 2, 1914.....	101
Declaration, use of force in Belgium, August 4, 1914..	102
Ultimatum to France, July 31, 1914.....	103
Declaration of war against France, August 3, 1914.....	103
Note breaking diplomatic relations with Japan, August 23, 1914.....	104
Declaration of war against Portugal, March 9, 1916....	104
Notice of declaration of war against Roumania, August 28, 1916.....	106
Mined areas—	
Statement in reference to mine-laying, August 7, 1914.	106
Note relating to mined areas, November 14, 1914.....	106
Notification of mined areas, April 8, 1917.....	107
War zones—	
Proclamation of war zone, February 4, 1915.....	107
Memorial relating to war zone, February 4, 1915.....	108
Notice, traveling through war zone, April 22, 1915....	110
Declaration of war zone, January 31, 1917.....	110
Memorandum relating to war zone, January 31, 1917...	111
Note relating to war zone declaration, January 31, 1917.	112
Notification of extension of war zone, March 23, 1917..	115
Proclamation of war zone, November 22, 1917.....	115
Great Britain:	
War ultimatums and declarations—	
Ultimatum to Germany, August 4, 1914.....	116
Proclamation of war against Germany, August 4, 1914..	117

Great Britain—Continued.

War ultimatums and declarations—Continued.	Page.
Declaration of war against Austria-Hungary, August 12, 1914.....	117
Note relating to neutrality of Congo, August 17, 1914....	118
Notification of war with Turkey, November 4, 1914.....	118
Proclamation of war with Turkey, November 5, 1914....	119
Proclamation of breaking diplomatic relations with Bulgaria, October 13, 1915.....	119
Proclamation of war with Bulgaria, October 16, 1915..	119
Mined areas—	
Memorandum reserving right to lay mine fields, August 11, 1914.....	120
Memorandum, navigation through enemy mine fields, August 14, 1914.....	120
Memorandum, enemy mine fields, August 30, 1914.....	120
Memorandum, enemy mine fields, August 23, 1914.....	121
Notification of mined area, October 2, 1914.....	122
Announcement of mine-laying, November 3, 1914.....	126
Directions for navigation in mined areas, November 30, 1914.....	127
Directions for navigation in mined areas, May 15, 1915.	130
Notification of mined areas, January 25, 1917.....	133
Notification of mined areas, February 13, 1917.....	133
Notification of mined areas, March 21, 1917.....	134
Notification of extension of mined area, April 27, 1917.	134
Blockades and commercial restrictions—	
Notification, blockade of German East Africa, February 23, 1915.....	135
Notification, blockade of Cameroons, April 24, 1915....	135
Notification, restriction of Cameroons blockade, January 11, 1916.....	135
Notification, raising of Cameroons blockade, February 29, 1916.....	136
Notification, blockade of Asia Minor, June 1, 1915.....	136
Notification, blockade of Bulgaria, October 16, 1915..	136
Notification, extension of blockade of Aegean, September 20, 1916.....	136
Declaration of retaliatory measures against German trade, March 1, 1915.....	137
Order in council, retaliatory measures against German trade, March 11, 1915.....	138
Order in council, retaliatory measures against German trade, January 10, 1917.....	141
Order in council, retaliatory measures against German trade, February 16, 1917.....	142
Miscellaneous war measures—	
Convention with France relating to prizes, November 9, 1914.....	143

Great Britain--Continued.

Miscellaneous war measures--Continued.	Page.
Instructions for the conduct of armed merchantmen, October 20, 1915.....	153
Order in council, requisition of prizes, March 23, 1915..	155
Act of Parliament permitting blacklisting, December 23, 1915.....	158
Greece:	
Declaration of war against Germany and Bulgaria by Greek provisional government, November 24, 1916.....	159
Note breaking diplomatic relations with Germany and Aus- tria-Hungary, June 30, 1917.....	161
Guatemala:	
Notification of breaking diplomatic relations with Germany, April 28, 1917.....	162
Haiti:	
Regulations, neutrality, October 3, 1914.....	162
Italy:	
War declarations--	
Declaration of war against Austria-Hungary, May 23, 1915.....	163
Notification of war with Austria-Hungary, May 23, 1915.	164
Notification of war with Turkey, August 21, 1915.....	169
Notification, war with Bulgaria, October 19, 1915.....	171
Notification of war with Germany, August 28, 1916....	171
Blockades and navigation restrictions--	
Notification, blockade of Austria-Hungary and Alba- nia, May 26, 1915.....	172
Notification, blockade of Albania, May 30, 1915.....	173
Notification, navigation of Straits of Messina, May 30, 1915.....	174
Notification, blockade of the Adriatic, July 6, 1915...	174
Japan:	
Ultimatum to Germany, August 15, 1914.....	175
Proclamation of war with Germany, August 23, 1914.....	176
Notification, blockade of Kiao-Chou, August 27, 1914.....	177
Notification, raising of blockade of Tsing-Tao, November 10, 1914.....	177
Liberia:	
Proclamation, neutrality, August 10, 1914.....	177
Proclamation, trade regulation, June 20, 1916.....	179
Note breaking diplomatic relations with Germany, May 5, 1917.....	180
Luxemburg:	
Notification of violation of neutrality by Germany, August 2, 1914.....	182
Mexico:	
Declaration, neutrality, March 17, 1917.....	182

Montenegro:	Page.
Notice of declaration of war against Austria-Hungary, August 7, 1914.....	182
Notice of breaking diplomatic relations with Germany, August 9, 1914.....	183
Netherlands:	
Declaration, neutrality, April 17, 1917.....	183
Norway:	
Joint declaration with Sweden and Denmark, neutrality, December 21, 1912.....	183
Regulations, neutrality, December 18, 1912.....	184
Regulations, admission of foreign war vessels, January 20, 1913.....	187
Proclamation, neutrality, August 1, 1914.....	189
Proclamation, neutrality, August 4, 1914.....	189
Joint communiqué with Sweden concerning maintenance of neutrality, August 8, 1914.....	189
Law, defense secrets, August 18, 1914.....	189
Resolution, telegraphic communication, September 18, 1914.....	191
Resolution, defense secrets, November 6, 1914.....	192
Law, control of postal and telegraphic communication, June 24, 1915.....	193
Notification, surveillance of vessels, October 1, 1915.....	193
Resolution, interned war vessels, June 30, 1916.....	194
Resolution, belligerent submarines, October 13, 1916.....	194
Ordinance, belligerent submarines, January 30, 1917.....	195
Panama:	
Instructions, neutrality, October 24, 1914.....	195
Proclamation, cooperation with United States in war with Germany, April 7, 1917.....	196
Declaration of war against Austria-Hungary, December 10, 1917.....	196
Peru:	
Proclamation of attitude toward war, July 28, 1917.....	197
Notification of breaking diplomatic relations with Germany, October 12, 1917.....	198
Portugal:	
Law authorizing military intervention, November 24, 1914.....	199
Decree, requisition of cargoes of enemy vessels, April 20, 1916.....	200
Decree, contraband, August 14, 1916.....	202
Roumania:	
Declaration of war against Austria-Hungary, August 27, 1916.....	203
Russia:	
Note relating to declaration of war by Germany, August 2, 1914.....	206
Note breaking diplomatic relations with Turkey, October 29, 1914.....	207

Russia—Continued.	Page.
Notification of breaking diplomatic relations with Turkey, November 2, 1914.....	207
Note, war with Turkey, November 3, 1914.....	208
Ultimatum to Bulgaria, October 3, 1915.....	208
Notification of breaking diplomatic relations with Bulgaria, October 7, 1915.....	209
Proclamation of war against Bulgaria, October 19, 1915....	209
Notification of mined areas, November 5, 1914.....	210
Salvador:	
Attitude toward war, October 6, 1917.....	210
Serbia. (See also Austria-Hungary.)	
Notification of Austro-Hungarian breaking of diplomatic relations, July 25, 1914.....	210
Note, breaking diplomatic relations with Germany, August 6, 1914.....	211
Notice of breaking diplomatic relations with Bulgaria, October 8, 1916.....	211
Notification, war with Bulgaria, October 16, 1916.....	212
Siam:	
Declaration of war against Germany and Austria-Hungary, July 22, 1917.....	212
Spain:	
Exposition of decree, submarines, June 29, 1917.....	212
Decree, submarines, June 29, 1917.....	214
Sweden. (See also Norway.)	
Decree, mined areas, July 14, 1916.....	215
Decree, submarines, July 19, 1916.....	215
Switzerland:	
Declaration of neutrality, December 12, 1917.....	216
Turkey:	
Notification, neutrality, August 18, 1914.....	217
Regulations, neutrality, September 28, 1914.....	217
Proclamation of war against entente powers, November 14, 1914.....	219
Proclamation of a holy war, November 15, 1914.....	220
Circular, hostilities in Egypt and the Suez Canal, May, 1915.....	221
Notification, war against Roumania, August 31, 1916.....	222
United States:	
Breaking diplomatic relations and war declarations—	
Note breaking diplomatic relations with Germany, Feb- ruary 3, 1917.....	222
Notification of breaking diplomatic relations with Ger- many, February 4, 1917.....	224
Notification of arming merchant vessels, March 12, 1917.	225
Declaration of war against Germany, April 6, 1917.....	225
Proclamation of war with Germany, April 6, 1917.....	226

United States—Continued.

Breaking diplomatic relations and war declarations—Con.	Page.
Notification of breaking diplomatic relations with Turkey, April 24, 1917.....	229
Declaration of war against Austria-Hungary, December 7, 1917.....	230
Proclamation of war with Austria-Hungary, December 11, 1917.....	230
Memorandum in reference to the neutrality of Switzer- land, December 3, 1917.....	233
Defensive sea areas—	
Executive order, defensive sea areas, April 5, 1917.....	233
Regulations, defensive sea areas, April 5, 1917.....	237
Executive order, defensive sea areas, April 14, 1917....	240
Executive order, defensive sea area in Panama Canal August 27, 1917.....	241
Protection of Panama Canal—	
Regulations for protection of Panama Canal, May 23, 1917.....	243
Requisition of enemy vessels—	
Executive order, May 22, 1917.....	246
Executive order, May 22, 1917.....	246
Executive order, June 30, 1917.....	246
Executive order, July 3, 1917.....	248
Uruguay:	
Decree, modification of neutrality regulations in case of war by American country, June 18, 1917.....	249
Decree, breaking diplomatic relations with Germany, Octo- ber 7, 1917.....	250
Venezuela:	
Official statement of neutrality, May 27, 1917.....	250

INTERNATIONAL LAW DOCUMENTS.

DECLARATIONS OF WAR.¹

[Official Bulletin No. 196, p. 7.]

- Austria against Belgium, August 28, 1914 (p. 51).
Austria against Japan, August 27, 1914. (Hostilities authorized Aug. 24, 1914, see p. 51.)
Austria against Montenegro, August 9, 1914. (Hostilities commenced Aug. 8, 1914, see p. 183.)
Austria against Russia, August 6, 1914 (p. 50).
Austria against Serbia, July 28, 1914 (p. 49).
Brazil against Germany, October 26, 1917 (p. 65).
Bulgaria against Serbia, October 14, 1915. (Hostilities began Oct. 11, 1915, see p. 66.)
China against Austria, August 14, 1917 (p. 74).
China against Germany, August 14, 1917 (p. 73).
Cuba against Germany, April 7, 1917 (p. 77).
France against Austria, August 13, 1914. (Midnight, Aug. 12-13, 1914, see p. 88.)
France against Bulgaria, October 16, 1915 (p. 91).
France against Germany, August 3, 1914 (p. 86).
France against Turkey, November 5, 1914. (Hostilities began Oct. 29, 1914, see p. 90.)
Germany against Belgium, August 4, 1914 (p. 102).
Germany against France, August 3, 1914 (p. 103).
Germany against Portugal, March 9, 1916 (p. 104).
Germany against Roumania, September 14, 1916. (The declaration is dated Aug. 28, 1916, see p. 106.)
Germany against Russia, August 1, 1914 (p. 100).
Great Britain against Austria, August 13, 1914. (Midnight, Aug. 12-13, 1914, see p. 117.)
Great Britain against Bulgaria, October 15, 1915 (p. 119).
Great Britain against Germany, August 4, 1914 (p. 115).
Great Britain against Turkey, November 5, 1914 (p. 119).
Greece against Bulgaria, November 28, 1916 (provisional government). (The declaration is dated Nov. 24, 1916, see p. 159.)
Greece against Bulgaria, July 2, 1917 (Government of Alexander). (It was announced that the Government considered that it had assumed the declaration of the provisional government, see p. 161.)

¹ This list appears to have omitted a declaration by Bulgaria against Roumania, Sept. 1, 1916 (p. 67). Since its publication war has been declared upon Germany by Costa Rica, May 24, 1918 (p. 77); Guatemala, Apr. 22, 1918 (p. 162); and Nicaragua, May 7, 1918 (p. 77).

Greece against Germany, November 28, 1916 (provisional government). (See Greece against Bulgaria, *supra*.)

Greece against Germany, July 2, 1917 (Government of Alexander). (See Greece against Bulgaria, *supra*.)

Italy against Austria, May 24, 1915 (p. 163).

Italy against Bulgaria, October 19, 1915 (p. 171).

Italy against Germany, August 28, 1916 (p. 171).

Italy against Turkey, August 21, 1915 (p. 169).

Japan against Germany, August 23, 1914 (p. 176).

Liberia against Germany, August 4, 1917 (p. 180).

Montenegro against Austria, August 8, 1914. (The declaration appears to have been made on August 7, 1914, see p. 182.)

Montenegro against Germany, August 9, 1914 (p. 183).

Panama against Austria, December 10, 1917 (p. 196).

Panama against Germany, April 7, 1917 (p. 196).

Portugal against Germany, November 23, 1914 (resolution passed authorizing military intervention as ally of England). (The law is dated November 24, 1914, see p. 199.)

Portugal against Germany, May 19, 1915 (military aid granted).

Roumania against Austria, August 27, 1916 (allies of Austria also consider it a declaration) (p. 203).

Russia against Bulgaria, October 19, 1915 (p. 209).

Russia against Turkey, November 3, 1914 (p. 208).

San Marino against Austria, May 24, 1915. (Elsewhere reported as June 3, 1915, see p. 163.)

Serbia against Bulgaria, October 16, 1915. (The declaration dates from October 14, 1915, see p. 212.)

Serbia against Germany, August 6, 1914 (p. 211).

Serbia against Turkey, December 2, 1914. (Treaties declared terminated from Dec. 1, 1914, see p. 220.)

Siam against Austria, July 22, 1917 (p. 212.)

Siam against Germany, July 22, 1917 (p. 212.).

Turkey against allies, November 23, 1914. (The declaration is dated November 14, 1916, see p. 219.)

Turkey against Roumania, August 29, 1916. (The declaration was delivered August 31, 1916, see p. 222.)

United States against Austria, December 7, 1917 (p. 230).

United States against Germany, April 6, 1917 (p. 225).

BREAKING OF DIPLOMATIC RELATIONS.

[Official Bulletin No. 196, p. 7.]

Austria against Japan, August 26, 1914. (The note is dated August 24, 1914, see p. 51.)

Austria against Portugal, March 16, 1916.

Austria against Serbia, July 26, 1914. (The note is dated July 25, 1914, see p. 49.)

Austria against United States, April 8, 1917 (p. 52).

Bolivia against Germany, April 14, 1917 (p. 60).
Brazil against Germany, April 11, 1917 (p. 64).
China against Germany, March 14, 1917 (p. 71).
Costa Rica against Germany, September 21, 1917.
Ecuador against Germany, December 17, 1917.
Egypt against Germany, August 13, 1914.
France against Austria, August 10, 1914 (p. 87).
Greece against Turkey, July 2, 1917 (Government of Alexander).
Greece against Austria, July 2, 1917 (Government of Alexander). (The note is dated June 30, 1917, see p. 161.)
Guatemala against Germany, April 27, 1917. (The notification is dated Apr. 28, 1917, see p. 162.)
Haiti against Germany, June 17, 1917.
Honduras against Germany, May 17, 1917.
Nicaragua against Germany, May 18, 1917.
Peru against Germany, October 6, 1917 (p. 198).
Turkey against United States, April 20, 1917.
United States against Germany, February 3, 1917 (p. 222).
Uruguay against Germany, October 7, 1917 (p. 250).

ARABIA.

Proclamation of the Sherif of Mecca, June 27, 1916.

In the name of God, the merciful, the compassionate.
This is our general circular to all our brother Moslems.

("O Lord, do thou judge between us and our nation with truth;
for Thou art the best Judge.")

It is well known that of all the Moslem rulers and emirs, the emirs of Mecca, the favored city, were the first to recognize the Turkish Government. This they did in order to unite Moslem opinion and firmly establish their community, knowing that the great Ottoman Sultans (may the dust of their tombs be blessed and may paradise be their abode) were acting in accordance with the Book of God and the Sunna of his Prophet (prayers be unto him) and were zealous to enforce the ordinances of both these authorities. With this noble end in view, the emirs before mentioned observe those ordinances unceasingly. I myself, protecting the honor of the State, caused Arabs to rise against their fellow Arabs in the year 1327 in order to raise the siege of Abha, and in the following year a similar movement was carried out under the leadership of one of my sons, as is well known. The emirs continued to support the Ottoman State until the Society of Union and Progress appeared in the State and proceeded to take over the

administration thereof and all its affairs, with the result that the State suffered a loss of territory which quite destroyed its prestige, as the whole world knows, was plunged into the horrors of war and brought to its present perilous position, as is patent to all. This was all done for certain well-known ends, which our feelings forbid to dilate upon. They caused Moslem hearts to ache with grief for the Empire of Islam, for the destruction of the remaining inhabitants of her Provinces—Moslem as well as non-Moslem—some of them hanged or otherwise done to death, others driven into exile. Add to this the losses they have sustained through the war in their persons and property, the latter especially in the Holy Land, as is briefly demonstrated by the fact that in that quarter the general stress compelled even the middle classes to sell the doors of their houses, their cupboards, and the wood from their ceilings, after selling all their belongings to keep life in their bodies. All this evidently did not fulfill the designs of the Society of Union and Progress. They proceeded next to sever the essential bond between the Ottoman sultanate and the whole Moslem community, to wit, adherence to the Koran and the Sunna. One of the Constantinople newspapers, called *Al-Ijtihad*, actually published an article maligning (God forgive us) the life of the prophet (on whom be the prayer and peace of God), and this under the eye of the grand vizier of the Ottoman Empire and its Sheikh of Islam, and all the Ulema, ministers, and nobles. It adds to this impiety by denying the word of God, "The male shall receive two portions," and decides that they shall share equally under the law of inheritance. Then it proceeds to the crowning atrocity of destroying one of the five vital precepts of Islam, the fast of Ramadan, ordering that the troops stationed at Medina, Mecca, or Damascus may break the fast in the same way as troops fighting on the Russian frontier, thereby falsifying the clear Koranic injunction, "Those of you who are sick or on a journey." It has put forth other innovations touching the fundamental laws of Islam (of which the penalties for infringement are well known) after destroying the Sultan's power, robbing him even of the right to choose the chief of his imperial cabinet or the private minister of his august person, and breaking the constitution of the Caliphate of which Moslems demand the observance.

In spite of all we have accepted these innovations in order to give no cause for dissension and schism. But at last the veil was removed and it became apparent that the Empire was in the hands of Enver Pasha, Jemal Pasha, and Talaat Bey, who were administering it just as they liked and treating it according to their own sweet will. The most striking proof of this is the notice lately sent to the Kadi of the tribunal at Mecca, to the effect that he must deliver judgment solely on evidence written down in his presence in court and must not consider any evidence written down by Moslems among themselves, thus ignoring the verse in the

Surat-al-Baqara. Another proof is that they caused to be hanged at one time 21 eminent and cultured Moslems and Arabs of distinction, in addition to those they had previously put to death—the Emir Omar el-Jazairi, the Emir Arif esh-Shihabi, Shefik Bey el-Moayyad, Shukri Bey el-Asali, Abd el-Wahab, Taufik Bey el-Baset, Abd el-Hamid el-Zahrawi, Abd el-Ghani el-Arisi, and their companions, who are well-known men. Cruel-hearted men could not easily bring themselves to destroy so many lives at one blow, even if they were as beasts of the field. We might hear their excuse and grant them pardon for killing those worthy men, but how can we excuse them for banishing under such pitiful and heart-breaking circumstances the innocent families of their victims—infants, delicate women and aged men—and inflicting on them other forms of suffering in addition to the agonies they had already endured in the death of those who were the support of their homes?

God says, "No burdened soul shall bear the burden of another." Even if we could let all this pass, how is it possible we can forgive them confiscating the property and money of those people after bereaving them of their dear ones? Try to suppose we closed our eyes to this, also feeling that they might have some excuse on their side; could we ever forgive them desecrating the grave of that pious, zealous, and godly man the Sherif Abd el-Kadir el-Jazari el-Hasani? The above is a brief account of their doings, and we leave humanity at large and Moslems in particular to give their verdict. We have sufficient proof of how they regard the religion and the Arab people in the fact that they shelled the Ancient House, the Temple of the Divine Unity, of which it is said in the word of God, "Purify my House for those that pass round it," the Kibla of Mohammedans, the Kaaba of believers in the Unity, firing two shells at it from their big guns when the country rose to demand its independence. One fell about a yard and a half above the Black Stone and the other three yards from it. The covering of the Kaaba was set in a blaze. Thousands of Moslems rushed up with shouts of alarm and despair to extinguish the flames. To reach the fire they were compelled to open the door of the building and climb on to the roof. The enemy fired a third shell at the Makam Ibrahim in addition to the projectiles and bullets aimed at the rest of the building. Every day three or four people in the building itself were killed, and at last it became difficult for the Moslems to approach the Kaaba at all. We leave the whole Mohammedan world from east to west to pass judgment on this contempt and profanation of the Sacred House. But we are determined not to leave our religious and national rights as a plaything in the hands of the Union and Progress Party. God (blessed and exalted be He) has vouchsafed the land an opportunity to rise in revolt, has enabled her by His power and might to

seize her independence and crown her efforts with prosperity and victory, even after she was crushed by the maladministration of the Turkish civil and military officials. She stands quite apart and distinct from countries that still groan under the yoke of the Union and Progress Government. She is independent in the fullest sense of the word, freed from the rule of strangers and purged of every foreign influence. Her principles are to defend the faith of Islam, to elevate the Moslem people, to found their conduct on holy law, to build up the code of justice on the same foundation in harmony with the principles of religion, to practice its ceremonies in accordance with modern progress, and make a genuine revolution by sparing no pains in spreading education among all classes according to their station and their needs.

This is the policy we have undertaken in order to fulfill our religious duty, trusting that all our brother Moslems in the east and west will pursue the same in fulfillment of their duty to us, and so strengthen the bands of the Islamic brotherhood.

We raise our hands humbly to the Lord of Lords for the sake of the Prophet of the All-Bountiful King that we may be granted success and guidance in whatsoever is for the good of Islam and the Moslems. We rely upon Almighty God, who is our Sufficiency and the best Defender.

The sherif and emir of Mecca,

EL HUSSEIN IBN ALI.

25 Sha'ban 1334 (27th June, 1916).

The Proclamation of Bagdad.

Since the proclamation of the independence of Hedjaz, the great British advance in Mesopotamia has taken place, involving the recapture of Kut-el-Amara and the capture of Bagdad. After the occupation of this city, the capital of Mesopotamia, by British and Indian troops, Lieut. Gen. Sir Stanley Maude issued a proclamation to the inhabitants, the text whereof, which makes reference to the King of Hedjaz and other Arab rulers, is printed below:

TO THE PEOPLE OF BAGDAD VILAYET:

1. In the name of my King, and in the name of the peoples over whom he rules, I address you as follows:

2. Our military operations have as their object the defeat of the enemy, and the driving of him from these territories. In order to complete this task, I am charged with absolute and supreme control of all regions in which British troops operate; but our armies do not come into your cities and lands as conquerors or enemies, but as liberators.

3. Since the days of Halaka your city and your lands have been subject to the tyranny of strangers, your palaces have fallen into ruins, your gardens have sunk in desolation, and your forefathers and yourselves have groaned in bondage. Your sons have been carried off to wars not of your seeking, your wealth has been stripped from you by unjust men and squandered in distant places.

4. Since the days of Midhat, the Turks have talked of reforms, yet do not the ruins and wastes of to-day testify the vanity of those promises?

5. It is the wish not only of my King and his peoples, but it is also the wish of the great nations with whom he is in alliance, that you should prosper even as in the past, when your lands were fertile, when your ancestors gave to the world literature, science, and art, and when Bagdad city was one of the wonders of the world.

6. Between your people and the dominions of my King there has been a close bond of interest. For 200 years have the merchants of Bagdad and Great Britain traded together in mutual profit and friendship. On the other hand, the Germans and Turks, who have despoiled you and yours, have for 20 years made Bagdad a center of power from which to assail the power of the British and the allies of the British in Persia and Arabia. Therefore the British Government can not remain indifferent as to what takes place in your country now or in the future, for in duty to the interests of the British people and their allies, the British Government can not risk that being done in Bagdad again which has been done by the Turks and Germans during the war.

7. But you people of Bagdad, whose commercial prosperity and whose safety from oppression and invasion must ever be a matter of the closest concern to the British Government, are not to understand that it is the wish of the British Government to impose upon you alien institutions. It is the hope of the British Government that the aspirations of your philosophers and writers shall be realised and that once again the People of Bagdad shall flourish, enjoying their wealth and substance under institutions which are in consonance with their sacred laws and their racial ideals. In Hedjaz the Arabs have expelled the Turks and Germans who oppressed them and proclaimed the Sherif Hussein as their king, and his lordship rules in independence and freedom, and is the ally of the nations who are fighting against the power of Turkey and Germany; so, indeed, are the noble Arabs, the Lords of Koweyt, Nejd, and Asir.

8. Many noble Arabs have perished in the cause of Arab freedom, at the hands of those alien rulers, the Turks, who oppressed them. It is the determination of the Government of Great Britain and the great powers allied to Great Britain that these noble Arabs shall not have suffered in vain. It is the hope and desire of the British people and the nations in alliance with them that the Arab race may rise once more to greatness and renown among the peoples of the earth, and that it shall bind itself together to this end in unity and concord.

9. O people of Bagdad remember that for 26 generations you have suffered under strange tyrants who have ever endeavoured to set one Arab house against another in order that they might profit by your dissensions. This policy is abhorrent to Great Britain and

her allies, for there can be neither peace nor prosperity where there is enmity and misgovernment. Therefore I am commanded to invite you, through your nobles and elders and representatives, to participate in the management of your civil affairs in collaboration with the political representatives of Great Britain who accompany the British Army, so that you may be united with your kinsmen in north, east, south, and west in realising the aspirations of your race."

March 19, 1917.

ARGENTINE REPUBLIC.

General Orders No. 126, in reference to the sojourn and departure of belligerent vessels, August 6, 1914.

BUENOS AIRES, August 6, 1914.

NAVY DEPARTMENT:

By virtue of the declaration of neutrality by the Argentine Republic, it being the duty of the Government to prevent the execution of hostile acts in the waters under the jurisdiction of the nation, and in general to take all measures tending to a uniform application of the rules of neutrality and

In consideration of the fact

That article 8 of the Hague Convention, October 18, 1907, in regard to maritime neutrality declares that a neutral government is obliged to make use of every means at its disposal to prevent the equipping and arming of any boat which it may have reasonable motives for believing to be destined to become a cruiser or to take part in hostile operations against a power with which it finds itself at peace;

In compliance with the dispositions of the aforesaid decree, the minister of the navy orders that:

ARTICLE 1. In the ports of the Republic and the waters under its control no foreign merchantmen shall be allowed to arm or to equip for the purpose of becoming auxiliary cruisers in the fleets of any of the belligerent countries.

ART. 2. Captains of foreign merchantmen which are already a part of the fleet of a belligerent country—such as auxiliary cruisers—must make declaration of this fact within 24 hours at the general prefecture of ports in compliance with the laws of neutrality, they being considered as ships of war.

ART. 3. The roadsteads of Buenos Aires and of La Plata shall be assigned as anchoring places in the Río de La Plata and a guard of national warships shall be established to prevent any aggression against boats flying belligerent colors, and to insure compliance with all requirements relating to the transformation of merchantmen into auxiliary cruisers.

ART. 4. Port commanders shall exercise great care in regard to the turn and order of departure of vessels flying the colors of

belligerent countries which may have been converted into auxiliary cruisers. Likewise, if it be considered necessary, they are to establish patrols in said zone of navigation, or escort by national warships the aforesaid vessels to free water with the object of assuring compliance with these dispositions.

To be published, etc.

J. P. SAENZ VALIENTE.

General Orders No. 133, in reference to the sojourn of armed merchantmen and auxiliary cruisers, August 17, 1914.

BUENOS AIRES, August 17, 1914.

NAVY DEPARTMENT:

It being necessary to amplify the regulations of procedure to be observed in fulfillment of the decree of neutrality in the present European war, declared by this department under date of August 6, 1914, in General Orders 126,

The minister of the navy orders that:

ARTICLE 1. In addition to the provisions of orders previously cited, the maritime authorities upon whom it may be incumbent shall be guided by the following instructions:

(a) Foreign merchantmen officially classified as auxiliary cruisers of their respective fleets shall be treated in the matter of neutrality as if they were ships of war. For them to be considered as auxiliary cruisers it is indispensable that there be applied to them the sense of articles 1, 2, 3, and 4 of the "Agreement relative to the conversion of merchantmen into ships of war" of October 18, 1907.

(b) To safeguard the rights of the Nation in waters under its jurisdictional control, no hostile acts shall be permitted by boats flying belligerent colors, and necessary precautions shall be taken to prevent them.

(c) Foreign merchantmen which without being officially declared as auxiliary cruisers nevertheless carry cannon for their defense shall not make use of them in waters under State control, and the Government reserves to itself in case of their having served as auxiliary cruisers the right to treat them as such when they return to waters under its jurisdiction.

As the legal status of ships of war is not conceded these vessels, any hostile act of theirs in waters under the jurisdiction of the State shall be considered as an act in open violation of the law of the country.

(d) The general prefecture of ports shall take note of all foreign merchantmen which may have cannon for defense, either mounted or unmounted, or emplacements for cannon, to the end that they be especially watched.

(e) Among the foreign merchantmen armed with cannon there are some that carry their cannon on the stern only, and with a

24 *Telegraphic and Radio Communication, Argentine.*

very restricted firing sector; in other words, they are guns which may fire only directly astern. It may well be conceded that the sole object of these guns is the defense of the boat. Other vessels carry them in the bow and on both sides—that is to say, in offensive sectors. Even though the technical requisites for considering these boats as auxiliary cruisers do not appear, it is nevertheless evident that their armament suggests their purpose. Hence supervision in such cases shall be especially rigorous.

(f) It is to be borne in mind that by virtue of the provisions of article 31 in the regulations of the port of the capital and of La Plata no boat is to enter them with explosives aboard. Consequently if any merchantmen armed with cannon carry powder on board they are not to be permitted to enter the harbor before disembarking ammunitions.

(g) The general prefecture of ports will take necessary measures to prevent the departure of war vessels, auxiliary cruisers, or even armed merchantmen until 24 hours after the departure from the same harbor of any other armed or unarmed merchantman flying the flag of a hostile country.

(h) War vessels and auxiliary cruisers flying belligerent colors whose stop in territorial waters is limited to 24 hours shall not cast anchor in them except for reasons of exceptional urgency (*caso de fuerza mayor*).

Armed merchantmen which it is suspected may be converted into auxiliary cruisers shall be watched with particular care, so that they may not be able to thwart the precautions established for the protection of steamers departing each in the order of its turn by casting anchor with hostile intent within the territorial waters.

J. P. SAENZ VALIENTE.

*Circular No. 52, relating to telegraphic and radio communication,
August 18, 1914.*

BUENOS AIRES, *August 18, 1914.*

NAVY DEPARTMENT:

Announcement is hereby made to the fleet that the Argentine Government, in conformity with the provisions of article 8 of the Telegraphic Agreement and of article 17 of the Agreement in regard to Radio-Telegraphy, has determined to suspend the use of secret codes in international service, excepting only telegrams and radiotelegrams drawn up in simple Spanish, German, French, English, Italian, or Portuguese, and upon condition of their bearing the full signature of the sender at whose risk they will be transmitted.

Exception is made in behalf of governmental service dispatches.

M. DOMEQ GARCIA,
Director General of Material.

General Orders 135, relating to the use of radio apparatus on belligerent vessels in jurisdictional waters, August 19, 1914.

BUENOS AIRES, August 19, 1914.

NAVY DEPARTMENT:

With the purpose of further guaranteeing the most absolute neutrality during the present state of war between the belligerent nations of Europe,

The minister of the navy decrees that:

ARTICLE 1. So long as they remain in jurisdictional waters, the vessels of belligerent powers be forbidden the use of their radio-telegraphic apparatus except in cases where it be necessary to call for aid or to reply to calls for assistance.

ART. 2. The general direction of prefectures will take all necessary measures to enforce this order.

J. P. SAENZ VALIENTE.

General Orders 167, relating to radio apparatus on belligerent vessels in jurisdictional waters, October 2, 1914.

BUENOS AIRES, October 2, 1914.

NAVY DEPARTMENT:

In amplification of the provisions of General Orders 135 under date of August 19 last,

The minister of the navy orders that:

ARTICLE 1. In addition to the dispositions in force for all vessels from the time they enter the jurisdictional waters of the Republic until they leave them, vessels of the belligerent powers shall keep their radiotelegraphic poles lowered and their stations closed.

ART. 2. General direction of the general prefecture of ports will take measures for the fulfillment of this order.

J. P. SAENZ VALIENTE.

General Orders 169, relating to the coaling of belligerent merchant vessels, October 14, 1914.

BUENOS AIRES, October 14, 1914.

NAVY DEPARTMENT:

To prevent as far as possible Argentine ports from being utilized by the belligerents as bases of supplies for war work, and

In consideration of the fact

That The Hague Convention has decided relative to the rights and duties of neutral powers in case of maritime warfare that ports and neutral waters can not be utilized as bases of naval operations by belligerents;

That the same convention does not forbid merchantmen from taking on stores of fuel and provisions;

That to reconcile both principles in such a way that there shall appear no impediment to the maintenance of neutrality, it is indispensable to fix prudential limits in order that merchantmen may take on the amount of fuel requisite for their own consumption in the course of their usual itineraries, but not such excessive quantities as shall enable them to transship their supplies to other boats at sea;

That to this end the usual arrangement of a ship's storeroom makes possible the establishment of a general rule to determine the load permitted each boat according to its tonnage and capacity, so that without prejudice to the interests of navigation and commerce provision may be made against all abuse of neutrality declared by the Argentine Government;

The President of the Argentine Nation decrees that:

ARTICLE 1. In all Argentine ports merchantmen flying belligerent colors shall not be permitted to take on a quantity of coal in excess of that which may be contained in their bunkers, not including their reserve bunkers, the holds for general cargo, nor the space between decks where no combustible shall be carried.

ART. 2. The customhouse officials shall inform the general prefecture of ports of such permits as it may grant to vessels flying belligerent colors for loads of coal, so that it may make sure of the fulfillment of the provisions of article 1, and if need be, prevent any vessel from leaving port.

ART. 3. Order to be communicated, etc.

J. P. SAENZ VALIENTE.

Circular No. 80, relating to radio communication, November 5, 1914.

BUENOS AIRES, November 5, 1914.

NAVY DEPARTMENT:

The minister of the navy orders that:

ARTICLE 1. Exchange of radiotelegrams be authorized between the stations of the Navy Department and those of the Malvinas Islands.

ART. 2. Radiotelegrams shall be phrased in Spanish, English, or French.

ART. 3. Radiotelegrams in code or secret language shall not be accepted.

ART. 4. The usual prices asked at international stations shall be in force.

J. P. SAENZ VALIENTE.

General Orders No. 201, supplementary to General Orders No. 167.

BUENOS AIRES, November 18, 1914.

NAVY DEPARTMENT:

The Minister of the Navy orders that:

ARTICLE 1. Application of the sense of General Orders No. 167 of the current year be made to all merchantmen without exception from the moment they are admitted to the ports of the Republic and during the duration of their stop therein.

ART. 2. To be communicated and filed, etc.

J. P. SAENZ VALIENTE.

General Orders No. 214, relating to radiotelegraphy, December 8, 1914.

BUENOS AIRES, December 8, 1914.

NAVY DEPARTMENT:

In view of the aforementioned reports proceeding from the General Prefecture of Ports stating that that office had ascertained that the steamer *President Quintana*, of national registration, at present at sea off the Costa Sur, has on board two radio operators of German nationality who figured neither among passengers nor crew, but were nevertheless embarked with the full knowledge of the ship's authorities, since they gave them complete and permanent control of the radio station on board, for which the radio operator who figured as such on the ship's list and who is of Argentine nationality was unable to take charge of the station, thanks to the disposition made by the Compañía Alemana Telefunken, which is the company having charge of the radio installations of the Compañía de Navegación, to which company this boat belongs;

That on the steamer *Cabo Corrientes*, of the same company as the aforesaid, Government agents have ascertained that apparatus had been removed from the radio room, which apparatus could well serve in part for the installation of a plant either on shipboard or at some point as yet unknown, although the personnel of the boat claims that said pieces were sent to Germany for adjustment or repair;

That the aforesaid steamers, even though of national registration, belong to a company whose capital was subscribed abroad; that its directing board resides in one of the belligerent nations; and that certain of its boats are commanded by captains who have taken out papers of Argentine citizenship, but who are nevertheless citizens of the other nation;

That there are other navigation companies and individual boats operating under conditions similar to those obtaining in this company, although the irregularities and transgressions committed

by the *Presidente Quintana* and the *Cabo Corrientes* are not yet to be imputed to their vessels; and considering

That from the facts proven well-founded suspicions may be entertained that radiotelegraphic installations of boats flying the Argentine flag are serving to cooperate in the information service of nations in a state of war, receiving and forwarding news from or to belligerent boats in South Atlantic waters;

That it is not possible to leave the radiotelegraphic service of those boats which are complementary to the radiotelegraphic service of the nation in such condition that it may, by the illegal usage made of it, compromise the sincere character and impartiality of the Argentine Government, it being manifestly impossible to suppress on shipboard this peculiar form of service, inasmuch as a national law prescribes it for the safety of both shipping and passengers; and

It being a question of acts which may affect the good relations of the nation with friendly countries, by virtue of the neutrality declared

The President of the Argentine Nation decrees that:

ARTICLE 1. The minister of the navy shall direct that all vessels flying the Argentine flag engaged in coasting trade or navigation of the La Plata River shall keep their radiotelegraphic stations closed, except when said station may be opened in the presence of duly authorized employees of the general prefecture of ports and its branches, who shall proceed to close them as they were once, the cause for which they were opened having been removed. Stations may only be opened without the presence of the aforementioned Government representatives when at sea it may become necessary to call for assistance in case of extreme peril, a circumstance which the captains must report at the nearest subprefecture, where the station will again be closed.

ART. 2. The radio operators on these boats shall be of Argentine nationality and must be inscribed as such in a register to be opened for that purpose by the general prefecture of ports, they to be considered, together with pilots, as native agents of the marine authorities.

ART. 3. Radio operators upon the arrival of their boats at every port shall present themselves to the local marine authorities, before whom they shall make statement of all that has occurred during the voyage which may have to do with radio communication either with coast stations or other boats, surrendering a sworn copy of telegrams sent or received while the station was opened, which copies shall be forwarded as soon as possible by the subprefects or *Jefes de Ayudantias* to the general prefectures of ports. They shall also communicate to the marine authorities every infraction of this law, irregularity, or illegal act which may have been committed on shipboard, so that the aforesaid authorities may intervene.

ART. 4. Every transgression against these rulings shall be punished by a fine of a thousand dollars, national money, for a first offense, together with a cancellation of the captain's commission, and in case of repetition by the withdrawal of the use of the national colors; but if because of this transgression an international convention or treaty shall be violated to which the nation is party, then those responsible shall, at the instance of the attorney general, be punished as stated in Article 8 of Law Number 49.

ART. 5. In case the minister of the navy may judge opportune, he will place on any national merchantman with radiotelegraphic installation, before it sets sail, a naval officer as inspector, who shall remain aboard during the voyage and be lodged and fed at the expense of the company to which the boat belongs.

J. P. SAENZ VALIENTE.

Circular No. 83, supplementary to Circulars Nos. 52 and 80.

BUENOS AIRES, December 9, 1914.

NAVY DEPARTMENT:

Notice is hereby given to the fleet that the rulings of the Government, general in nature and transmitted in Circular No. 52, are to be applied also to radiotelegraphic communications with the Malvinas Islands authorized by Circular No. 80; the term governmental-service dispatches to be understood as meaning dispatches signed by the minister of foreign affairs and diplomatic agents, or directed to them.

J. P. SAENZ VALIENTE.

MANUEL DOMEQ. GARCÍA,

Director General of Material.

General Orders No. 225, relating to the departure of belligerent merchant vessels, December 26, 1914.

BUENOS AIRES, December 26, 1914.

NAVY DEPARTMENT:

With the purpose of preventing malicious abuse of privileges, both of navigation and commerce, granted merchantmen in Argentine waters, in favor of the war fleets of the belligerents, thus frustrating the strict neutrality which the Government has determined to maintain,

The President of the Argentine Nation decrees that:

ARTICLE 1. Captains of merchantmen flying belligerent colors intending to set out from Argentine ports shall declare before the marine authorities their port of destination together with those ports where they intend to stop, and shall also certify that their trip is one of a commercial nature merely.

ART. 2. When a boat can not satisfactorily explain a change from the course announced at its departure, it shall be considered

according to circumstances as an auxiliary to the war fleet, and if it shall again enter Argentine ports shall be submitted to treatment befitting its case.

ART. 3. When it is proven that a merchantman has transferred, by its own act, to war vessels the fuel which it has aboard, either as cargo or for its own necessary consumption, it shall be considered as an auxiliary to the war fleet, and the maritime authorities shall refuse—being governed by considerations of the case—to provide coal for the other boats in the same company.

ART. 4. Merchantmen which may have to remain in Argentine ports during the course of the war or those which may have been interned for violations of neutrality shall be moored at points indicated by the maritime authorities, and no port dues shall be collected from them.

J. P. SAENZ VALIENTE.

General Orders relating to the transfer of flags, December 26, 1914.

Buenos Aires, December 26, 1914.

NAVY DEPARTMENT:

In view of the preceding note from the general prefecture of ports anent the demand for the transfer of colors of belligerent merchantmen, and in accord with the opinions of the Minister of Foreign Affairs,

Considering that

It is fitting to establish uniform procedure in this matter respecting the neutrality declared by the Argentine Government in the European war, and, with due regard for national interests and mindful of the principles admitted in this respect by international law,

It is resolved that:

The transfer of colors shall be consented to under reserve of its being done upon a basis of absolute good faith, and in the knowledge that the Argentine Government will decline all intervention in behalf of those interested if it should afterwards result that they have not fulfilled this condition.

J. P. SAENZ VALIENTE.

Buenos Aires, December 28, 1914.

JUAN A. MARTIN,

Director General of Personnel.

General Orders No. 16, in reference to the internment of the German steamer Patagonia, January 18, 1915.

Buenos Aires, January 18, 1915.

NAVY DEPARTMENT:

It having been proved by investigations conducted by the direction of prefectures that the German steamer *Patagonia* has com-

mitted acts in violation of the dispositions and decrees dictated by the P. E.¹ upon neutrality,

The President of the Argentine Nation decrees that:

The minister of the navy shall cause the German boat *Patagonia* to be interned in a port of the Republic until the termination of the European war.

ART. 2. This order to be communicated, etc.

J. P. SAENZ VALIENTE.

Buenos Aires, January 19, 1915.

JUAN A. MARTIN,

Director General of Personnel.

General Order No. 24, relating to the internment of the German steamer Seydlitz, January 22, 1915.

BUENOS AIRES, January 22, 1915.

NAVY DEPARTMENT:

From conclusions based upon the adjoined documents signed by the captain of the German steamer *Seydlitz* upon putting in at the port of San Antonio Oeste, and by the captain of the English bark *Drummuir* upon his disembarkation at the harbor of this city that the first-named steamer made part of the German South Atlantic and Pacific division from the 3d to the 8th of September last, to which it was ordered to go by the chief of that naval force, having on board the crew of the bark sunk by the cruiser *Leipzig*, for which circumstance it should be considered as an auxiliary boat of the German division, and for this reason unable to remain in an Argentine port more than twenty-four hours without infringing the neutrality laws.

The President of the Argentine Nation decrees that:

ARTICLE 1. The minister of the navy shall take action to have the German steamer *Seydlitz*, which has taken refuge in the port of San Antonio Oeste since the 18th of last December, convoyed by an Argentine vessel to Puerto Militar, where it shall be interned until the end of the present war.

J. P. SAENZ VALIENTE.

Buenos Aires, January 26, 1915.

JUAN A. MARTIN,

Director General of Personnel.

General Orders No. 51, relating to the internment of the German steamer Holger, February 26, 1915.

BUENOS AIRES, February 26, 1915.

NAVY DEPARTMENT:

As a result of investigations made upon the arrival of the German steamer *Holger* at the port of this city, it having been learned

¹ His Excellency the President.

that this boat during 36 days was in the service of the German auxiliary cruiser *Kronprinz Wilhelm*, having sailed secretly from a neutral port at which it had touched, and not having been able to show navigation papers or documents of any sort, all of which being sufficient cause to consider it an auxiliary boat of the German squadron, and

Having been duly informed in compliance with neutrality requirements that it should leave again before the expiration of 24 hours, which was not done,

Considering that the 73 sailors from the *Kronprinz Wilhelm* which the *Holger* had aboard were a part of the merchant crew of the *Kronprinz Wilhelm* before being armed for war, having remained on board as passengers according to their statement until the time of being sent ashore, because they were not considered combatants, due to the fact that they were older than the classes of reserves called to service by the German Government;

The President of the Argentine Nation decrees that:

ARTICLE 1. The minister of the navy shall take measures to have the German steamer *Holger* interned during the remainder of the war in the waters of *El Arsenal del Rio de La Plata*.

ART. 2. The 73 noncombatant sailors which it brought in belonging to the merchant crew of the auxiliary cruiser *Kronprinz Wilhelm* before this latter was armed for war shall be immediately set at liberty.

ART. 3. The minister of the navy shall make all arrangements for the transferal of the interned vessel to its new anchorage.

ART. 4. This decree to be communicated to the proper authorities, etc.

J. P. SAENZ VALENTE.

PLAZA, BUENOS AIRES, March 2, 1915.

VICENTE E. MONTES,
Director General of Personnel.

General Order 191, Neutrality Declaration,¹ August 27, 1915.

BUENOS AIRES, August 27, 1915.

DEPARTMENT OF FOREIGN AFFAIRS AND RELIGIOUS WORSHIP:

In view of the note of the 23d of the current month received by this department from the Italian Legation here accredited in which, by virtue of instructions from its Government, it informs the Government of this Republic that Italy has declared war on

¹ Similar declarations have been issued as follows: War between Great Britain and Bulgaria, General Order No. 228, Oct. 25, 1915; war between Italy and Bulgaria, General Order No. 236, Oct. 30, 1915; war between France and Bulgaria, General Orders No. 2, Dec. 17, 1915; war between Germany and Portugal, General Orders No. 68, Mar. 14, 1915; war between Italy and Germany, General Orders No. 195, Aug. 31, 1916.

Turkey; and observant of the principles of international law laid down by the decree of the Argentine Government on the 5th of August, 1914,¹ declaring its neutrality while a state of war exists between the nations of Europe;

The President of the Argentine Nation decrees that:

ARTICLE 1. The ruling of the Argentine Government of August 5, 1914, declaring its strictest neutrality during the said war shall be made to apply to the present war between Italy and Turkey.

ART. 2. This order to be communicated to ministries affected by its provisions, published in the *Boletín Oficial*, and filed with the *Registro Nacional*.

JOSE LUIS MURATURE.

PLAZA, BUENOS AIRES, *September 1, 1915.*

To be included in general orders and filed in the archives.

J. P. SAENZ VALIENTE.

General Order 202, relating to radio communication, September 9, 1915.

BUENOS AIRES, *September 9, 1915.*

NAVY DEPARTMENT:

It having become necessary to establish with greater exactness the fashion in which the radiotelegraph service is to be performed in its relation to the national telegraph,

The President of the Argentine Nation decrees that:

ARTICLE 1. Articles 23 and 24 of the regulations for radiotelegraphic service approved by the decree of October 24, 1914, be revoked.

ART. 2. The following articles be substituted.

ART. 3. Radiotelegrams must be left by the public at the telegraph offices, but may be presented directly in any coast radiotelegraph station open to public service when in the locality there is no telegraph office, or when such office may be out of communication with the rest of the circuit.

Exception to this rule is made in favor of private radiograms from officers of the fleet directed to stations controlled by the minister of the navy which whether or not there be telegraph offices in the place from which they are sent shall be transmitted, costs paid, from any coast radiotelegraph station dependent upon the aforesaid department.

The route to be followed by radiotelegrams mentioned in the first paragraph shall be as follows:

(a) Those that start from a telegraph office shall continue by the telegraphic system to the place where they meet the coast radio station which is to transmit them to a vessel or until they come to the coast station nearest to that coast station for which they are intended.

¹ International Law Topics, 1916, p. 9.

(b) Those which are presented by the public at coast stations will follow along the radiotelegraph circuit to the nearest telegraph office whose operating apparatus shall be in working order and from there by the telegraph lines to its destination or to wherever be the next coast station which can transmit it to a station on shipboard.

(c) When it is a question of radiotelegrams directed to stations on shipboard which are within the radius of the original coast station the interexchange shall be made direct.

As to radiotelegrams deposited by the public at coast stations destined to a locality either within or without the country, and those which on account of interruption in the lines with the point for which they are intended may be left at a telegraph office to be transmitted by radiogram, they shall be accepted conditionally.

ART. 24. For the liquidation and surrender of accounts relative to the radiotelegrams presented by the public at coast stations, the following arrangements shall be followed:

(a) When there is no postoffice or telegraph office in a locality the revenue accruing to the Treasury from the Department of Posts and Telegraph shall be handled by the General Administrative Direction of the Navy Department.

(b) When there is a postoffice, then the revenue shall be banked every 24 hours against receipt from the coast station; and

(c) If there is a telegraph office and if on account of its lack of communication with the rest of the system the coast station should receive dispatches for the public, the money received for these shall be turned over by the latter to the former in the manner and fashion established by the preceding paragraph.

PLAZA.

J. P. SAENZ VALIENTE.

Decree relating to radiotelegraphy, September 9, 1915.

BUENOS AIRES, *September 9, 1915.*

It being fitting under present conditions to modify the restrictions of the decree dated December 9, 1914, in regard to boats of neutral registration plying in the waters of the South Atlantic and Rio de La Plata,

The President of the Argentine Nation decrees that:

ARTICLE 1. The minister of the navy shall direct that all merchantmen flying the Argentine flag shall keep their radio stations closed from the moment they are admitted to port and during their stay in any port of the Republic.

ART. 2. The radiotelegraph stations designated in the preceding article shall be closed by the marine authorities in the port of arrival, and these stations shall not be reopened for service except by the act of said authorities.

ART. 3. The radio operators on these boats shall be of Argentine nationality and shall be inscribed as such in a register opened for this purpose by the general prefecture of ports, they to be considered, the same as pilots, as native agents of the marine authorities.

ART. 4. In ports along the South Atlantic coast where merchantmen flying the national colors may stop, if there is no national telegraph station, captains are authorized to keep the radiotelegraph stations of their boats in operation.

ART. 5. While navigating the open seas or in cases covered by article 4, the use of the radiotelegraph stations on shipboard is authorized with the exclusive object of transmitting or receiving dispatches of public service in the Spanish language only, and whose import has no relation to the present European struggle, their phraseology being simple and understandable.

Any dispatch not fulfilling these requirements shall be refused.

ART. 6. Coast stations shall receive no public-service dispatch from or for a national merchantman at sea whose text is not in accord with the provisions of article 5.

ART. 7. All official dispatches are excepted from the mandate of the previous articles provided they are signed and sealed by competent authority.

ART. 8. Radio operators, upon the arrival of their boats at port, shall present themselves before the marine authorities, to whom they shall make declaration of all occurrences during the trip touching upon the matter of communication, whether with coast stations or with other boats, and shall file a sworn copy of telegrams sent or received, while their station was open, which copy shall be forwarded by the subprefects or *jefes de ayudantias* to the general prefecture as soon as possible. They shall also communicate to the marine authorities any infraction, irregularity, or other unlawful act which may have been committed aboard their vessel, so that the aforesaid authority may take needful action.

ART. 9. Any infraction of these orders shall be punished, for a first offense, by a fine of \$1,000 national currency and the canceling of the license of both captain and radio operator, and, in case of repetition, by the withdrawal of the use of the national colors; but if as a result of this transgression there should result a violation of a convention or international treaty to which this nation was party, then the aforesaid individuals shall be prosecuted by the attorney general in accordance with the terms of article 8, law No. 49.

ART. 10. In case the minister of the navy may judge opportune, he shall cause to embark on any national merchantman carrying radio installation, before it puts out to sea, a naval officer as inspector, who shall remain on board during the voyage and shall be lodged and fed at the expense of the company to which the boat belongs.

ART. 11. Merchantmen flying the national colors which make the trip to Montevideo and interior rivers whose stops in port shall not exceed 24 hours may keep their poles raised.

ART. 12. These presents to be duly communicated to all concerned.

PLAZA.

J. P. SAENZ VALIENTE.

General Orders No. 237, relating to radiotelegraphy, November 8, 1915.

GENERAL DIRECTION OF MATERIAL,
BUENOS AIRES, November 8, 1915.

NAVY DEPARTMENT:

It seeming proper to make more explicit the interpretation of article 5 of the decree dated September 9, 1915, General Orders No. 202 (540),

The Minister of the Navy declares that:

ARTICLE 1. Radiograms directed to merchantmen of national registration shall be accepted at the risk of the sender. These radiotelegrams shall be phrased in plain Spanish and shall have no relation to the present European struggle.

ART. 2. There shall be accepted, also at the risk of the sender, radiotelegrams in simple Spanish destined to boats of neutral countries. For such dispatches the restrictions imposed by the country to which said boat belongs are always to be considered.

ART. 3. Dispatches directed to vessels of the national fleet shall be received without restriction.

ART. 4. Radiotelegrams for boats belonging to belligerent countries shall be refused as heretofore.

J. P. SAENZ VALIENTE.

MARIANO F. BEASCOECHEA,

Director General of Material (pro tem.).

BUENOS AIRES, November 8, 1915.

General Orders No. 71, relating to the coaling of merchant vessels, March 28, 1917.

GENERAL DIRECTION OF PERSONNEL,
BUENOS AIRES, March 28, 1917.

NAVY DEPARTMENT:

In view of the new difficulties for maritime commerce created by recent events related to the European war which have increased still more the scarcity of freight by making it almost impossible to transport fuel from the points of production to our ports, and

In consideration of the fact that the balance of coal left in this country during the last month—discount made of the small amounts received as against amounts which steamers departing from our ports may have carried away in their bunkers—is very much below what is needed by the administration and national industries, and

Mindful, finally, that the decrees of October 14, 1914, and June 12, 1916, dictated by the departments of navy and treasury, respectively, are contrary to Law No. 9482 of the 12th of August, whose provisions have remained in force until the present,

The executive power of the nation decrees that:

ARTICLE 1. Law No. 9482, which provides that merchantmen sailing from national ports across seas be provided only with the coal absolutely necessary for them to make their first stopping place, be maintained in full force.

IRIGOYEN.

F. ALVAREZ DE TOLEDO.

Note stating attitude toward the war, April 11, 1917.

Dr. Rómulo S. Naón, Ambassador from Argentine Republic, to Mr. Lansing, Secretary of State.

The Government of the Argentine Republic, in view of the causes that have prompted the United States of America to declare war against the Government of the German Empire, recognizes the justice of the decision, founded as it is upon the violation of the principles of neutrality established by the rules of international law, which have been considered definite accomplishments of civilization.

Dismissal of German Minister, September 12, 1917.

Minister for Foreign Affairs Paeyrraden to Count von Luxburg, Minister of the German Empire.

MR. MINISTER: You having ceased to be persona grata to the Argentine Government, that Government has decided to deliver to you your passports which I transmit herewith by order of His Excellency, the President of the nation.

The introducer of embassies has instructions to assist you in your departure from the territory of the Republic.

God keep you.

Passport to German Minister, September 12, 1917.

Considering that his excellency, Count Karl von Luxburg, envoy extraordinary and minister plenipotentiary of the German Empire, is leaving the Argentine Republic, the authorities of the Republic are hereby requested to protect him in his passage to the frontier.

Given at Buenos Aires, September 12, 1917. Valid to the frontier.

*Dismissal of German Minister, September 13, 1917.***The Minister for Foreign Affairs of the Argentine Republic to the Argentine Minister.**

ARGENTINE MINISTER: Please deliver to the German Government the following:

The Argentine Government has recognized and valued highly the exalted manner in which the Government of Germany has solved in ample terms all the Argentine claims, but must inform the German Government that, because of the texts of Minister von Luxburg's telegrams which have been published, he has ceased to be *persona grata*, and in consequence this Government has delivered to him his passports.

AUSTRIA-HUNGARY.

Ultimatum to Serbia, July 22, 1914.¹

[Austro-Hungarian Red Book.]

VII. Count Berchtold to Baron von Giesl, Belgrade.

VIENNA, July 22, 1914.

You are directed to hand the following note to the Royal Government, in the course of the afternoon of Thursday, July 23:

On the 31st of March, 1909, the Servian minister in Vienna, on instructions from the Servian Government, made the following declaration to the Imperial and Royal Government:

Servia recognizes that the *fait accompli* regarding Bosnia has not affected her rights, and consequently she will conform to such decisions as the powers may take with regard to Article XXV of the treaty of Berlin. In deference to the advice of the great powers, Servia undertakes to renounce henceforth the attitude of protest and opposition which she has adopted with regard to the annexation since last autumn. She undertakes, moreover, to modify the direction of her present policy toward Austria-Hungary and to live in future on good neighborly terms with the latter.

The history of recent years, and in particular the painful events of the 28th of June last, have disclosed the existence of a subversive movement with the object of detaching a part of the territories of Austria-Hungary from the Monarchy. The movement, which had its birth under the eye of the Servian Government, has gone so far as to make itself manifest beyond the Servian frontier in the shape of acts of terrorism and a series of outrages and murders.

Far from carrying out the formal undertakings contained in the declaration of the 31st of March, 1909, the Royal Servian Government has done nothing to repress this movement. It has tolerated the criminal activity of various societies and associations directed against the Monarchy, the licentious language of the press, the glorification of the authors of outrages, and the participation of

¹ Delivered personally at 6 p. m., July 23, 1914. (Serbian Blue Book, No. 32.)

officers and functionaries in subversive agitation. It has permitted an unwholesome propaganda in public instruction. In short, it has permitted all manifestations of a nature to incite the Servian population to hatred of the Monarchy and contempt for its institutions.

This culpable tolerance of the Royal Servian Government had not ceased at the moment when the events of the 28th of June last demonstrated its ominous consequences to the world.

It is evident from the depositions and confessions of the criminal perpetrators of the outrage of the 28th of June, that the Serajevo assassination had been planned in Belgrade, that the arms and explosives with which the murderers were provided, had been given to them by Servian officers and functionaries belonging to the Narodna Odbrana, and finally that the passage into Bosnia of the criminals and their arms was organized and carried out by the chiefs of the Servian frontier service.

The above-mentioned results of the preliminary investigation do not permit the Austro-Hungarian Government to pursue any longer the attitude of expectant forbearance which it has maintained for years in the face of machinations hatched in Belgrade, and thence propagated in the territories of the Monarchy. The results, on the contrary, impose upon it the duty of putting an end to the intrigues which form a perpetual menace to the tranquillity of the Monarchy.

To achieve this end, the Imperial and Royal Government finds itself compelled to demand from the Royal Servian Government a formal assurance that it condemns this dangerous propaganda against the Monarchy—in other words, the whole series of tendencies, the ultimate aim of which is to detach from the Monarchy territories belonging to it—and that it undertakes to suppress by every means at its disposal this criminal and terrorist propaganda.

In order to give a solemn character to this undertaking the Royal Servian Government shall publish on the front page of its "journal official," of the 26th of July (July 13) the following declaration:

The Royal Government of Servia condemns the propaganda directed against Austria-Hungary, of which the final aim is to detach from the Austro-Hungarian Monarchy territories belonging to it, and it sincerely deploras the fatal consequences of these criminal proceedings.

The Royal Government regrets that Servian officers and functionaries have participated in the above-mentioned propaganda and thus compromised the good neighborly relations to which the Royal Government was solemnly pledged by its declaration of the 31st of March, 1909.

The Royal Government, which disapproves and repudiates all idea of interfering or attempting to interfere with the destinies of the inhabitants of any part whatsoever of Austria-Hungary, considers it its duty formally to warn officers and functionaries, and the whole population of the Kingdom, that henceforward it will proceed with the utmost rigor against persons who may be guilty of such machinations, which it will use all its efforts to prevent and suppress.

This declaration shall simultaneously be communicated to the royal army as an order of the day by His Majesty the King, and published in the official bulletin of the army.

The Royal Servian Government further undertakes :

1. To suppress any publication which incites to hatred and contempt of the Austro-Hungarian Monarchy and the general tendency of which is directed against its territorial integrity ;

2. To dissolve immediately the society called Narodna Odbrana, to confiscate all its means of propaganda, and to proceed in the same manner against all other societies and their branches in Serbia which engage in propaganda against the Austro-Hungarian Monarchy. The Royal Government shall take the necessary measures to prevent the societies dissolved from continuing their activity under another name and form ;

3. To eliminate without delay from public instruction in Serbia, both as regards the teaching body and the methods of instruction, everything that serves, or might serve, to foment the propaganda against Austria-Hungary ;

4. To remove from the military service, and from the administration in general, all officers and functionaries guilty of propaganda against the Austro-Hungarian Monarchy whose names and deeds the Austro-Hungarian Government reserves the right of communicating to the Royal Government ;

5. To accept the cooperation in Serbia of representatives of the Austro-Hungarian Government in the suppression of the subversive movement directed against the territorial integrity of the Monarchy ;

6. To take judicial proceedings against accomplices in the plot of the 28th of June who are on Servian territory. Delegates of the Austro-Hungarian Government will take part in the investigation relating thereto ;

7. To proceed without delay to the arrest of Maj. Voija Tankositch and of the individual named Milan Ciganovitch, a Servian State employee, who have been compromised by the results of the preliminary investigation at Serajevo ;

8. To prevent by effective measures the participation of the Servian authorities in the illicit traffic of arms and explosives across the frontier ; to dismiss and punish severely the officials of the frontier service at Schabatz and Loznica who have been guilty of having assisted the perpetrators of the Serajevo crime by facilitating their passage across the frontiers ;

9. To furnish the Imperial and Royal Government with explanations regarding the unjustifiable utterances of high Servian officials, both in Serbia and abroad, who, notwithstanding their official positions, did not hesitate after the crime of the 28th of June to give utterance, in published interviews, to expressions of hostility to the Austro-Hungarian Government ; and finally,

10. To notify the Imperial and Royal Government without delay of the execution of the measures comprised under the preceding heads.

The Austro-Hungarian Government awaits the reply of the Royal Government at the latest by 6 o'clock on Saturday evening, the 25th of July.

A memorandum dealing with the results of the preliminary investigation at Serajevo with regard to the officials mentioned under heads 7 and 8 attached to this note.

[Inclosure.]

The investigation by the court of Serajevo against Gabrilo Princip and accomplices in the assassination committed on June 28 of this year has up to now established the following facts:

1. The plot to murder Archduke Francis Ferdinand during his stay in Serajevo was planned by Gabrilo Princip, Nedeljko Gabrinovitch, a certain Milan Ciganovitch, and Trifko Grabez, with the assistance of Maj. Voijsa Tankositch.

2. The six bombs and four Browning pistols, with their ammunition, which were used by the criminals, were obtained for them and handed to Princip, Gabrinovitch, and Grabez in Belgrade by a certain Milan Ciganovitch, and Maj. Voijsa Tankositch.

3. The bombs are hand grenades which come from the arsenal of the Servian Army at Kragujevac.

4. In order to make sure of the success of the attempt, Milan Ciganovitch instructed Princip, Gabrinovitch, and Grabez in the art of hurling bombs and taught Princip and Grabez how to shoot with Browning pistols in a forest adjoining the shooting range of Topschider, in Belgrade.

5. In order to make possible the crossing of the Bosnia-Herzegovinan frontier by the conspirators and the smuggling in of their weapons, a secret transportation system was organized by Ciganovitch. The entrance of the criminals with their weapons into Bosnia and Herzegovina was carried out with the assistance of the frontier captains at Schabatz (Rade Popovitch) and at Loznica, and the cooperation of the customs officer, Rudivoj Grbitch, of Loznica, and several other persons.

In presenting the above note you will add verbally that you are instructed to leave Belgrade with the staff of the legation at the expiration of the time limit mentioned in the note (48 hours after the hour and day of its presentation) in the event that within that period you have not received an unconditional and favorable response from the Royal Servian Government.

Comments on Serbian reply to ultimatum, July 27, 1914.

[Austro-Hungarian Red Book. See also Serbian Blue Book, No. 39.]

XXXIV. Count Berchtold to the Imperial and Royal Ambassadors in Berlin, Rome, London, Paris, and St. Petersburg.

VIENNA, July 27, 1914.

You will receive herewith the text of the note which was handed to the Imperial and Royal Minister in Serbia on July the 25th by the Royal Servian Government, and our comments thereon.

[Inclosure.]

Note of the Royal Servian Government to the Imperial and Royal Austro-Hungarian Government, dated 12-25th July, 1914, and comments thereon.

[Serbian Reply to Austrian Government.]

[Comments of the Austro-Hungarian Government.]

The Royal Servian Government has received the communication of the Imperial and Royal Government of the 10th instant, and is convinced that its reply will remove any misunderstanding which may threaten to impair the good neighborly relations between the Austro-Hungarian Monarchy and the Kingdom of Serbia.

Conscious of the fact that the protests which were made both from the tribune of the national Skupchina and in the declarations and actions of the responsible representatives of the State—protests which were discontinued as a result of the declarations made by the Servian Government on the 18th March, 1909—have not been renewed on any occasion as regards the great neighboring Monarchy, and that no attempt has been made since that time, either by the successive Royal Governments or by their organs, to change the political and legal status created in Bosnia and Herzegovina, the Royal Government calls attention to the fact that in this connection the Imperial and Royal Government has made no representation, except one concerning a school book, when the Imperial and Royal Government received an entirely satisfactory explanation. Serbia in numerous instances has given proofs of her pacific and moderate policy during the Balkan crisis, and it is due to Serbia and to the sacrifice that she has made in the exclusive

The Royal Servian Government confines itself to the statement that no endeavor has been made by either the Servian Government or its officers to modify the status of Bosnia and Herzegovina since the declaration of the 18th of March, 1909.

Thereby it deliberately evades the basic point in our representations, as we have not asserted that the Servian Government or its officers have officially undertaken anything to that end.

Our grievance, however, is that the Servian Government has omitted to suppress the agitation directed against the territorial integrity of the Dual Monarchy, notwithstanding the obligations it entered into under the terms of the above-mentioned note.

The Servian Government, therefore, was in duty bound to a radical change in the trend of its policy and to establish good neighborly relations with Austria-Hungary; and not merely to refrain from official attempts to dispute the status of Bosnia as an integral part of the Dual Monarchy.

interest of European peace that the same has been preserved.

The Royal Government cannot be held responsible for manifestations of a private character, such as articles in the press and the peaceable work of societies—manifestations which take place in nearly all countries in the ordinary course of events, and which as a general rule are beyond official control. The Royal Government is all the less responsible, in view of the fact that at the time of the solution of a series of questions which arose between Servia and Austria-Hungary it showed much consideration and thus succeeded in settling most of these questions to the mutual advantage of the two neighboring countries.

For these reasons the Royal Government has been painfully surprised at the allegations that citizens of the Kingdom of Servia have participated in the preparations for the crime committed at Serajevo; the Royal Government had expected to be invited to collaborate in an investigation of all that concerns this crime, and it stood ready, in order to prove the entire correctness of its attitude, to take measures against any persons concerning whom representations might be made to it.

Complying with the desire of the Imperial and Royal Government, it is prepared to commit for trial any Servian subject, regardless of his station or rank, of whose complicity in the crime of Serajevo proofs shall be produced, and more especially it undertakes to publish on the first page of the "Journal officiel," on the date of the 13th/26th July, the following declaration:

"The Royal Government of Servia condemns every propaganda directed against Austria-Hungary, and in general all the tendencies which aim at the ultimate detachment from the Austro-Hungarian Monarchy of territories belonging to it, and it sincerely deplores the

The contention of the Royal Servian Government that utterances of the press and the activities of associations have a private character and are beyond the control of the State, is plainly at variance with the institutions of modern States, even of those which have the most liberal regulations in this respect; these regulations, designed to safeguard public polity and right, impose State supervision upon both press and associations. Moreover, the Servian institutions themselves provide for such supervision. The charge against the Servian Government is that it completely failed to supervise the Servian press and associations, although it well knew that both were engaged in a campaign against the Monarchy.

This assertion is incorrect. The Servian Government had been fully informed of the suspicion raised against certain designated persons, and therefore was not only in a position spontaneously to institute an investigation, but was even bound to do so by its own laws. It has done nothing at all in this respect.

Our demand read as follows:

"The Royal Government of Servia condemns the propaganda directed against Austria-Hungary
• • •."

The alteration made by the Royal Servian Government in the decla-

fatal consequences of these criminal activities.

"The Royal Government regrets that Servian officers and functionaries have participated, according to the communication of the Imperial and Royal Government, in the above-mentioned propaganda and thus compromised the good neighborly relations to which the Royal Government was solemnly pledged by its declaration of the 31st of March, 1909.

"The Royal Government, which disapproves and repudiates all idea of interfering or attempting to interfere with the destinies of the inhabitants of any part whatsoever of Austria-Hungary, considers it its duty formally to warn officers and functionaries, and the whole population of the Kingdom, that henceforth it will proceed with the utmost vigor against persons who may be guilty of such machinations, which it will use all its efforts to prevent and suppress."

This declaration will be brought to the knowledge of the Royal Army in an order of the day, in the name of his Majesty the King, by his Royal Highness the Crown Prince Alexander, and will be published in the next official army bulletin.

The Royal Government further undertakes:

1. To insert, at the first ordinary convocation of the Skuptchina, a provision into the press law for the most severe punishment of incitement to hatred and contempt of the Austro-Hungarian Monarchy, and for taking action against any publication the general tendency of which is directed against the territorial integrity of Austria-Hungary.

The Government engages, at the impending revision of the constitution, to add to article 22 of the constitution an amendment permitting that such publications be confiscated, a proceeding at present impossible according to the clear provisions of article 22 of the constitution.

ration demanded by us implies either that such a propaganda against Austria-Hungary does not exist, or that its existence is not within the knowledge of the Royal Government. This formula is insincere and equivocal; it is intended to furnish the Servian Government with a loophole for future emergencies. The Servian Government might, in future, interpret this declaration as neither a disavowal of the existing propaganda, nor an admission of its hostility to the Monarchy; it might, furthermore, base thereon the claim that it is not bound to suppress any future propaganda similar to the present one.

The wording of our demand was: "The Royal Government regrets that Servian officers and functionaries have participated in * * *." By the additional phrase, "according to the communication from the Imperial and Royal Government," the Royal Servian Government seeks, as indicated above, to keep a free hand for the future.

We had demanded:

1. The suppression of "any publication which incites to hatred and contempt of the Austro-Hungarian Monarchy, and the general tendency of which is directed against its territorial integrity."

We thus wished to establish Servia's obligation to provide for the prevention of such press attacks in the future; we wished, therefore, to secure definite results in the present instance.

Servia, instead, offers to decree certain laws intended to serve as means to that purpose, to wit:

(a) A law providing individual punishment of above-mentioned press utterances hostile to the Dual Monarchy. This is all the more immaterial to us, as it is a notorious fact that individual prose-

cution of press offences is very rarely possible, and as, furthermore, the lax application of such a law would leave unpunished even the few cases that might be prosecuted. This proposal, therefore, in no way meets our demand, as it gives no guarantee whatever for the results desired by us.

(b) An addition to article 22 of the constitution, permitting confiscation, as referred to in the Serbian note. This proposal likewise must fail to satisfy us. The existence of such a law in Serbia is of no avail to us, whereas only a pledge by the Government to apply it would be useful. This, however, has not been promised to us.

These proposals are, therefore, quite unsatisfactory, all the more so because they are also evasive, as they do not state the time within which these laws shall be decreed. Besides, no provision is made for the event of a rejection of the bills by the Skuptchina—not to mention a possible resignation of the cabinet—in which case matters would remain unchanged.

The propaganda against the Monarchy conducted by the "Narodna Odbrana" and its affiliated associations permeates the entire public life of Serbia; the Serbian Government's declaration that it knows nothing about this propaganda, is, therefore, an absolutely inadmissible act of evasion. Setting this contention aside, our demand is not wholly met, as we have also demanded:

The confiscation of the means of propaganda of these societies.

The prevention of the reorganization of the dissolved societies under other names and in other guise.

These two points the Belgrade Government ignores, thus eliminating even the guarantee which the preceding half-promise would imply that the proposed dissolution would put an end, once for all, to the activities of the socie-

2. The Government possesses no proof, nor does the note of the Imperial and Royal Government furnish it with any, that the "Narodna Odbrana" and other similar societies have committed up to the present any criminal act of this nature through the proceedings of any of their members. Nevertheless, the Royal Government will accept the demands of the Imperial and Royal Government and will dissolve the "Narodna Odbrana" Society and every other association which may be directing its efforts against Austria-Hungary.

3. The Royal Servian Government undertakes to remove without delay from the system of public instruction in Serbia all that serves or could serve to foment propaganda against Austria-Hungary, whenever the Imperial and Royal Government shall furnish it with facts and proofs of such a propaganda.

4. The Royal Government also agrees to remove from the military and the civil service all such persons as the judicial inquiry may have proved to be guilty of acts directed against the territorial integrity of the Austro-Hungarian Monarchy, and it expects the Imperial and Royal Government to communicate to it at a later day the names and the acts of these officers and officials for the purposes of the proceedings which are to be taken against them.

5. The Royal Government must confess that it does not clearly understand the meaning or the scope of the demand made by the Imperial and Royal Government that Serbia shall undertake to accept the collaboration of officials of the Imperial and Royal Government upon Servian territory, but it declares that it will admit such

ties hostile to the Dual Monarchy, and especially of the "Narodna Odbrana."

In this case, be it noted, moreover, the Servian Government first demands proofs that a propaganda against the Monarchy is being carried on in Serbia's public instruction; this, too, when the Servian Government must know that the books in use in Servian schools contain much objectionable matter, and that a large number of the Servian teachers are connected with the Narodna Odbrana and its affiliated association.

The Servian Government has again in this instance failed to comply with our demand in the way indicated by us, inasmuch as the phrase, "with regard to both the teaching-staff and the means of instruction," has been omitted in the Servian note. In this eliminated phrase are clearly pointed out the mediums whereby the propaganda against the Dual Monarchy is being conducted in the Servian schools.

If the dismissal of the military officers and civil officials referred to from the Government service should be conditional upon their guilt being first confirmed by means of a trial, the Servian Government restricts its acceptance of our demand to cases where persons are charged with having committed a crime punishable under the provisions of the penal code. Since we, however, demanded the removal of officers and officials who carry on a propaganda hostile to the Monarchy, our demand is palpably not complied with in this respect, for the reason that in Serbia the propaganda of which we complain does not constitute an offense punishable by law.

International law and the penal code governing criminal proceedings have nothing whatever to do with this question; this is purely a problem of national polity to be settled by a special mutual arrangement. Serbia's reservation is, therefore, unintelligible and, on account of its vague and undefined form, is likely to give rise to insur-

collaboration as agrees with the principle of international law, with criminal procedure, and with good neighborly relations.

6. It goes without saying that the Royal Government considers it a duty to begin an inquiry against all such persons as are, or possibly may be, implicated in the plot of the 15/28 June, and who may happen to be within the territory of the kingdom. As regards the participation in this inquiry of Austro-Hungarian agents or authorities appointed for this purpose by the Imperial and Royal Government, the Royal Government cannot accept such an arrangement, as it would constitute a violation of the Constitution and of the law of criminal procedure; nevertheless, in concrete cases communications as to the results of the investigation in question might be given to the Austro-Hungarian agents.

7. The Royal Government proceeded on the very evening of the delivery of the note, to arrest Commandant Volja Tankositch.

As regards Milan Ciganovitch, who is a subject of the Austro-Hungarian Monarchy and who up to the 15th June was employed (on probation) by the directorate of railways, it has not yet been possible to find out his whereabouts. Notices for his apprehension have been published in the press.

mountable difficulties in the attainment of a final settlement.

Our demand was perfectly clear and could not be misunderstood. We demanded:

1. The institution of a legal investigation against those who participated in the plot.

2. The coöperation of Austro-Hungarian officials in the inquiry (*recherches*, in contradistinction to *enquête judiciaire*).

We did not contemplate the participation of Austro-Hungarian officials in the Servian legal proceedings; these officials were only to coöperate in the preliminary police investigation, which was to seek out and collect the data for the judicial inquiry.

If the Servian Government has misunderstood us, it has done so intentionally, since it must be familiar with the difference between an *enquête judiciaire* (a judicial inquiry) and simple *recherches* (a preliminary police investigation).

Since the Servian Government wishes to evade every form of control in connection with the proposed investigation which, if correctly conducted, would adduce results highly undesirable for that Government; and since it is unable to decline on plausible grounds the coöperation of our officials in the police preliminaries—a police intervention for which there are a great number of precedents—it has adopted a contention designed to furnish an apparent justification of its refusal to comply with our demand and to make our demand appear impossible of acceptance.

This reply is equivocal.

Our investigations have shown that Ciganovitch took a leave of absence three days after the assassination, when it became known that he had participated in the plot; and that under orders from the Belgrade Police Department he proceeded to Ribari. It is, therefore, untrue that Ciganovitch had retired from the Government's service as early as the 15/28th of June. In addition, it should be stated that the Chief of the Bel-

The Austro-Hungarian Government is requested to be so good as to supply as soon as possible, in the customary form, the presumptive evidence of guilt as well as the possible proofs of guilt which have been collected up to the present time, at the inquiry at Sarajevo, for the purposes of the Serbian inquiry.

8. The Serbian Government will reinforce and extend the measures which have been taken for suppressing the illicit traffic in arms and explosives across the frontier.

It goes without saying that the Serbian Government will immediately order an inquiry and will severely punish the frontier officials on the Schabatz-Loznitza line who have failed in their duty and allowed the authors of the crime of Sarajevo to pass.

9. The Royal Government will gladly furnish explanations of the remarks made by its officials, whether in Serbia or abroad, in interviews after the crime, and which, according to the statement of the Imperial and Royal Government, were hostile to the Monarchy, as soon as the Imperial and Royal Government shall have communicated to it the passages in question in these remarks, and as soon as it shall have shown that the remarks were actually made by the said officials, in connection with which the Royal Government itself will take steps to collect evidence.

10. The Royal Government will inform the Imperial and Royal Government of the execution of the measures comprised under the above heads, in so far as this has not already been done by the present note, as soon as each measure shall have been ordered and carried out.

If the Imperial and Royal Government is not satisfied with this reply the Serbian Government, considering that it is not to the common interest to take precipitate action in the solution of this question, is ready, as always, to accept a pacific understanding,

grade Police, who himself had caused Ciganóvitch's departure and knew his whereabouts, stated in an interview that no person of the name of Milan Ciganovitch existed in Belgrade.

The interviews here referred to must be well known to the Serbian Government. The request that the Austro-Hungarian Government furnish details concerning these interviews, and the fact that the Serbian Government reserves the exclusive right to conduct the formal investigation in this matter, prove that on this point, as on others, Serbia has no serious intention to accede to our demands.

either by referring this question to the decision of the International Tribunal at The Hague, or to the Great Powers which took part in the drawing up of the declaration made by the Servian Government on the 18/31 March, 1909.

Belgrade, July 12/25, 1914.

Notice of breaking diplomatic relations with Serbia, July 25, 1914.

[Austro-Hungarian Red Book.]

XXIV. Baron von Giesl to Count Berchtold.

[Telegram.]

SEMLIN, July 25, 1914.

The reply of the Royal Serbian Government to our demands of the 23d instant being inadequate, I have broken off diplomatic relations with Serbia and have left Belgrade with the staff of the legation.

The reply was handed to me at 5.58 p. m.

*Declaration of war against Serbia, noon, July 28, 1914.*¹

[Austro-Hungarian Red Book. See also Serbian Blue Book, No. 45.]

XXXVII. Count Berchtold to the Royal Serbian Foreign Office, Belgrade.

[Telegram.]

VIENNA, July 28, 1914.

The Royal Serbian Government having failed to give a satisfactory reply to the note which was handed to it by the Austro-Hungarian minister in Belgrade on July 23, 1914, the Imperial and Royal Government is compelled to protect its own rights and interests by a recourse to armed force.

Austria-Hungary, therefore, considers herself from now on to be in state of war with Serbia.

*Notification of declaration of war against Serbia, July 28, 1914.*²

[British White Paper.]

No. 50. Sir M. de Bunsen to Sir Edward Grey.
(Received July 31.)

VIENNA, July 28, 1914.

Sir: I have the honor to transmit to you herewith the text of the Austro-Hungarian note announcing the declaration of war against Serbia.

I have, etc.,

MAURICE DE BUNSEN.

¹ "The Government of Austria-Hungary declared war to-day (July 28) at noon, in an unciphered telegram addressed to the Serbian Government." (Serbian Blue Book, No. 47.)

² See also Journal Officiel de la Republique Francaise, Aug. 3, 1914, p. 7078.

INCLOSURE IN No. 50.

COPY OF NOTE VERBALE, DATED VIENNA, JULY 28, 1914.

(Translation.)

In order to bring to an end the subversive intrigues originating from Belgrade and aimed at the territorial integrity of the Austro-Hungarian Monarchy, the Imperial and Royal Government has delivered to the Royal Serbian Government a note in which a series of demands were formulated, for the acceptance of which a delay of 48 hours has been granted to the Royal Government. The Royal Serbian Government not having answered this note in a satisfactory manner, the Imperial and Royal Government are themselves compelled to see to the safeguarding of their rights and interests, and, with this object, to have recourse to force of arms.

Austria-Hungary, who had just addressed to Serbia a formal declaration, in conformity with article 1 of the convention of the 18th October, 1907, relative to the opening of hostilities, considers herself henceforth in a state of war with Serbia.

In bringing the above notice of his Britannic Majesty's Embassy, the ministry of foreign affairs has the honor to declare that Austria-Hungary will act during the hostilities in conformity with the terms of the conventions of The Hague of the 18th October, 1907, as also with those of the declaration of London of the 28th February, 1909, provided an analogous procedure is adopted by Serbia.

The embassy is requested to be so good as to communicate the present notification as soon as possible to the British Government.

Declaration of war against Russia, 6 p. m., August 6, 1914.¹

[Austro-Hungarian Red Book. See also Russian Orange Book, No. 79.]

LIX. Count Berchtold to Count Szápáry, St. Petersburg.

[Telegram.]

VIENNA, August 5, 1914.

You are instructed to hand the following note to the Russian minister of foreign affairs:

By order of his Government, the undersigned ambassador of Austria-Hungary has the honor to notify his excellency, the Russian minister of foreign affairs, as follows:

"In view of the threatening attitude assumed by Russia in the conflict between the Austro-Hungarian monarchy and Serbia, and in view of the fact that, in consequence of this conflict, and according to a communication of the Berlin cabinet, Russia has considered it necessary to open hostilities

¹ Presented to the Russian Minister of Foreign Affairs on Aug. 6, 1914, at 6 p. m. (Russian Orange Book, No. 79.)

against Germany; furthermore, in view of the fact that the latter consequently has entered into a state of war with the former power, Austria-Hungary considers herself equally in a state of war with Russia."

After having presented this note, you will ask for the return of your passports and take your departure without delay accompanied by the entire staff of the embassy, with the sole exception of those officials who may have to remain.

Simultaneously passports are being handed to M. Schebeko.

Declaration of war against Belgium, August 22, 1914.

[Austro-Hungarian Red Book, see also Belgian Gray Book, No. 77, under date of reception August 28, 1914.]

LXVII. Count Berchtold to Count Clary, Brussels.

[Telegram.]

VIENNA, August 22, 1914.

I request you to inform the royal Belgian minister of foreign affairs without delay, as follows:

By order of my Government I have the honor to notify you, as follows:

In view of the fact that Belgium, having refused to accept the propositions addressed to her on several occasions by Germany, is now in military cooperation with France and Great Britain, both of which have declared war on Austria-Hungary; and in view of the recently established fact that Austrian and Hungarian subjects resident in Belgium have, under the eyes of the royal authorities, been treated in a manner contrary to the most primitive laws of humanity, and inadmissible even toward subjects of a hostile State, Austria-Hungary is necessarily compelled to break off diplomatic relations and considers herself from now on in a state of war with Belgium.

I leave the country with the staff of the legation and place the subjects of my country under the protection of the minister of the United States of America in Belgium.

The Imperial and Royal Government has handed his passports to Count Errembault de Dudzele.

Instructions in regard to Japan, August 24, 1914.¹

[Austro-Hungarian Red Book.]

LXIX. Count Berchtold to Baron Müller, Tokio.

[Telegram.]

VIENNA, August 24, 1914.

The commander of H. M. S. *Elisabeth* has been instructed to participate in the action at Tsingtau.

¹ This information was communicated to the United States Department of State on Aug. 27, 1914, by the Austro-Hungarian ambassador. Asserting that "a state of war unhappily exists between Japan and Austria-

52 *Breaking Diplomatic Relations, Austria-United States.*

In view of Japan's action against our ally, the German Empire, I request you to ask for your passports, notify consulates, and leave Japan for America together with our colony and the staffs of embassy and consulates. You will place our subjects and interests under the protection of the American ambassador. Passports will be handed to Japanese ambassador here.

Note breaking diplomatic relations with United States April 8, 1917.

Chargé Grew to the Secretary of State.

[Telegram.]

AMERICAN EMBASSY,
Vienna, April 8, 1917.

Minister for foreign affairs has just informed me that the diplomatic relations between the United States and Austria-Hungary are broken and has handed me passports for myself and the members of the embassy. He states that we may leave the Monarchy at your convenience and that every possible courtesy will be extended. Am telegraphing consuls to arrange their affairs and proceed to Vienna with a view to leaving for Switzerland if possible at end of week.

Following is translation of text of note handed me by minister :

IMPERIAL AND ROYAL MINISTRY OF THE IMPERIAL AND
ROYAL HOUSE AND OF FOREIGN AFFAIRS,
Vienna, April 8, 1917.

Since the United States of America has declared that a state of war exists between it and the Imperial German Government, Austria-Hungary, as ally of the German Empire, has decided to break off the diplomatic relations with the United States, and the Imperial and Royal Embassy in Washington has been instructed to inform the Department of State to that effect.

While regretting under these circumstances to see a termination of the personal relations which he has had the honor to hold with chargé d'affaires of the United States of America, the undersigned does not fail to place at the former's disposal herewith the passport for the departure from Austria-Hungary of himself and the other members of the embassy.

At the same time the undersigned avails himself of the opportunity to renew to the chargé d'affaires the expression of his most perfect consideration.

CZERNIN.

To Mr. JOSEPH CLARK GREW.
Chargé d'Affaires of the United States of America.

(GREW.)

Hungary," the United States issued a neutrality proclamation upon that date. The London Times of Aug. 27, 1914 (p. 5, b), after printing a Reuter dispatch of Aug. 26, 1914, stating that the *Petit Journal* had printed a telegram from Rome announcing that Austria had declared war on Japan, says : " Reuter's Agency was informed last night at the Japanese embassy * * * that the embassy had no news of the declaration of war between Austria and Japan, but had heard through an indirect source that the Japanese ambassador at Vienna had received his passports."

Notification of blockade of Montenegro, August 10, 1914.

[Journal Officiel de la Republique Francaise, Aug. 12, 1914, p. 7337.]

The Government of the (French) Republic was informed on August 10, 1914, by the Imperial and Royal Government of Austria-Hungary "that from August 10, at noon, the coast of Montenegro will be held in a state of effective blockade by the Austro-Hungarian naval forces."

The present notification is brought to the knowledge of those interested under all reservation of rights.

BELGIUM.

Protest against proposed German violation of neutrality August 3, 1914.

[Belgian gray book.]

No. 22.—Note communicated by Monsieur Davignon, Belgian Minister for Foreign Affairs, to Herr von Below Salenko, German Minister.

BRUSSELS, August 3, 1914.—(7 a. m.)

The German Government stated in their note of August 2, 1914, that according to reliable information French forces intended to march on the Meuse via Givet and Namur, and that Belgium, in spite of the best intentions, would not be in a position to repulse, without assistance, an advance of French troops.

The German Government, therefore, considered themselves compelled to anticipate this attack and to violate Belgian territory. In these circumstances, Germany proposed to the Belgian Government to adopt a friendly attitude toward her, and undertook, on the conclusion of peace, to guarantee the integrity of the Kingdom and its possessions to their full extent. The note added that if Belgium put difficulties in the way of the advance of German troops, Germany would be compelled to consider her as an enemy, and to leave the ultimate adjustment of the relations between the two States to the decision of arms.

This note has made a deep and painful impression upon the Belgian Government.

The intentions attributed to France by Germany are in contradiction to the formal declarations made to us on August 1, in the name of the French Government.

Moreover, if, contrary to our expectation, Belgian neutrality should be violated by France, Belgium intends to fulfil her international obligations and the Belgian army would offer the most vigorous resistance to the invader.

The treaties of 1839,¹ confirmed by the treaties of 1870,² vouch for the independence and neutrality of Belgium under the guaran-

¹ British and Foreign State Papers, 27: 990 et seq.

² Ibid., 60: 13.

54 *Breaking of Belgian Relations with Germany.*

tee of the powers, and notably of the Government of His Majesty the King of Prussia.

Belgium has always been faithful to her international obligations, she has carried out her duties in a spirit of loyal impartiality and she has left nothing undone to maintain and enforce respect for her neutrality.

The attack upon her independence with which the German Government threaten her constitutes a flagrant violation of international law. No strategic interest justifies such a violation of law.

The Belgian Government, if they were to accept the proposals submitted to them, would sacrifice the honor of the nation and betray their duty toward Europe.

Conscious of the part which Belgium has played for more than 80 years in the civilization of the world, they refuse to believe that the independence of Belgium can only be preserved at the price of the violation of her neutrality.

If this hope is disappointed the Belgian Government are firmly resolved to repel, by all the means in their power, every attack upon their rights.

Note breaking diplomatic relations with Germany.

[Belgian Gray Book.]

No. 31. Monsieur Davignon, Belgian Minister for Foreign Affairs, to Herr von Below Saleske, German Minister.

(Translation.)

BRUSSELS, August 4, 1914.

SIR: I have the honor to inform your Excellency that from to-day the Belgian Government are unable to recognize your diplomatic status and cease to have official relations with you. Your excellency will find inclosed the passports necessary for your departure with the staff of the legation.

(Signed) DAVIGNON.

Notification to guaranteeing powers of violation of neutrality by Germany August 4, 1914.

[Belgian Gray Book.]

No. 40.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to British, French, and Russian Ministers at Brussels.

BRUSSELS, August 4, 1914.

SIR: The Belgian Government regret to have to announce to your excellency that this morning the armed forces of Germany entered Belgian territory in violation of treaty engagements.

The Belgian Government are firmly determined to resist by all the means in their power.

Belgium appeals to Great Britain, France, and Russia to co-operate as guaranteeing powers in the defense of her territory.

There should be concerted and joint action to oppose the forcible measures taken by Germany against Belgium, and, at the same time, to guarantee the future maintenance of the independence and integrity of Belgium.

Belgium is happy to be able to declare that she will undertake the defense of her fortified places.

General notification of violation of neutrality by Germany August 5, 1914.

[Belgian Gray Book.]

No. 44.—M. Davignon, Belgian Minister for Foreign Affairs, to the Belgian heads of missions in all countries having diplomatic relations with Belgium.

BRUSSELS, August 5, 1914.

SIR: By the treaty of April 18, 1839, Prussia, France, Great Britain, Austria, and Russia declared themselves guarantors of the treaty concluded on the same day between His Majesty the King of the Belgians and His Majesty the King of the Netherlands. The treaty runs: "Belgium shall form a State independent and perpetually neutral."¹ Belgium has fulfilled all her international obligations, she has accomplished her duty in a spirit of loyal impartiality, she has neglected no effort to maintain her neutrality and to cause that neutrality to be respected.

In these circumstances the Belgian Government have learnt with deep pain that the armed forces of Germany, a power guaranteeing Belgian neutrality, have entered Belgian territory in violation of the obligations undertaken by treaty.

It is our duty to protest with indignation against an outrage against international law provoked by no act of ours.

The Belgian Government are firmly determined to repel by all the means in their power the attack thus made upon their neutrality, and they recall the fact that, in virtue of article 10 of The Hague Convention of 1907 respecting the rights and duties of neutral powers and persons in the case of war by land, if a neutral power repels, even by force, attacks on her neutrality such action can not be considered as a hostile act.

I have to request that you will ask at once for an audience with the minister for foreign affairs and read this dispatch to his excellency, handing him a copy. If the interview can not be granted at once you should make the communication in question in writing.

DAVIGNON.

¹ Annex to treaties of Apr. 19, 1839, art. 7, British and Foreign State Papers, 27: 994.

Neutrality of Congo August 7, 1914.¹

[Belgian Gray Book.]

No. 57.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to the Belgian Ministers at Paris and London.

[Telegram—translation.]

BRUSSELS, August 7, 1914.

Belgium trusts that the war will not be extended to Central Africa. The governor of the Belgian Congo has received instructions to maintain a strictly defensive attitude. Please ask the French Government [British Government] whether they intend to proclaim the neutrality of the French Congo [British colonies in the conventional basin of the Congo], in accordance with article 11 of the general act of Berlin.² A telegraph from Boma reports that hostilities are probable between the French and Germans in the Ubangi.

DAVIGNON.

No. 58.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to the Belgian Ministers at Paris and London.

[Translation.]

BRUSSELS, August 7, 1914.

SIR: With reference to my telegram of this morning, I have the honor to request you to bring to the notice of the French [British] Government the following information:

While instructions have been sent to the governor general of the Congo to take defensive measures on the common frontiers of the Belgian colony and of the German colonies of East Africa and the Cameroons, the Belgian Government have suggested to that officer that he should abstain from all offensive action against those colonies.

In view of the civilizing mission common to colonizing nations, the Belgian Government desire, in effect, for humanitarian reasons, not to extend the field of hostilities to Central Africa. They will, therefore, not take the initiative of putting such a strain on civilization in that region, and the military forces which they possess there will only go into action in the event of their having to repel a direct attack on their African possessions.

I should be glad to learn whether the French [British] Government share this view, and in that case whether it is their intention, during the present conflict, to avail themselves of article 11 of the general act of Berlin to neutralize such of their colonies as are contained in the conventional basin of the Congo.

I am addressing an identical communication to your colleague at London [Paris].

DAVIGNON.

¹ See British note, Aug. 17, 1914, p. 118.

² Feb. 26, 1885, British and Foreign State Papers, 76:12.

Departure of Belgian Minister from Luxemburg. 57

*Notification to Belgian Minister to depart from Luxemburg,
August 10, 1914.*

[Belgian Gray Book.]

No. 66.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to the
Belgian Ministers at London, Paris, and St. Petersburg.¹

[Translation.]

BRUSSELS, August 10, 1914.

SIR: I have the honor to inform you of the circumstances which led to the departure of the Belgian representative from Luxemburg.

The general officer commanding the German troops in the Grand Duchy of Luxemburg informed the German minister in that town, on August 8, of the desire of the military authorities for the departure of the Belgian representative at the Grand Ducal Court.

Herr von Buch addressed to Monsieur Eyschen, president of the government, a note, of which the following is a translation:

LUXEMBURG, August 8, 1914.

YOUR EXCELLENCY: In consequence of the completely hostile attitude adopted by Belgium toward Germany, the military authorities find themselves obliged to insist upon the departure of the Belgian minister from Luxemburg.

His excellency the general officer commanding begs Count van den Steen de Jehay to arrange his journey home in such a way that he may be able, within 24 hours, to see Gen. von Ploetz at Coblenz, with a view to settling the details of the further stages of his journey. It is impossible for him to travel except via Treves-Coblenz.

VON BUCH.

Monsieur Eyschen forwarded this note the same day to Count van den Steen de Jehay, accompanied by a letter in the following terms:

LUXEMBURG, August 8, 1914.

SIR: I greatly regret to have to communicate to you the inclosed copy of a note from the German minister, informing me that the German military authorities demand your departure.

You will find in it the conditions which they attach thereto.

Herr von Buch told me that the military authorities advise you to travel by railway, as an attempt to carry out your journey by motor would expose you to being too frequently stopped for reasons connected with the control of the roads. But the choice is left to you.

The German minister will come to me for your answer.

I can not tell you how painful it is to me to fulfill my present task. I shall never forget the pleasant relations which have existed between us, and I hope that your journey may be carried out under the best possible conditions.

EYSCHEN.

The Belgian Government, considering that the Grand Ducal Government had no choice in their attitude, and that the course they had been obliged to adopt in no way implied any discourteous

¹ See German note, Aug. 2, 1914, p. 101.

58 *Belgian Reply to Austrian Declaration.*

intention toward the King of the Belgians or toward Belgium, decided that there was no reason, in these circumstances, for requesting the Luxemburg chargé d'affaires to leave Belgium.

DAVIGNON.

Note replying to declaration of war by Austria-Hungary, August 29, 1914.

[Belgian Gray Book.]

No. 78.—Monsieur Davignon, Belgian Minister for Foreign Affairs, to Baron Fallon, Belgian Minister at The Hague.

[Telegram.]

ANTWERP, August 29, 1914.

Please inform the Austrian legation through the minister for foreign affairs that I have received Austria-Hungary's declaration of war against Belgium, and add the following:

Belgium has always entertained friendly relations with all her neighbors without distinction. She had scrupulously fulfilled the duties imposed upon her by her neutrality. If she has not been able to accept Germany's proposals, it is because those proposals contemplated the violation of her engagements toward Europe, engagements which form the conditions of the creation of the Belgian Kingdom. She has been unable to admit that a people, however weak they may be, can fail in their duty and sacrifice their honor by yielding to force. The government have waited, not only until the ultimatum had expired, but also until Belgian territory had been violated by German troops, before appealing to France and Great Britain, guarantors of her neutrality, under the same terms as are Germany and Austria-Hungary, to cooperate in the name and in virtue of the treaties in defense of Belgian territory. By repelling the invaders by force of arms, she has not even committed an hostile act as laid down by the provisions of article 10 of The Hague Convention respecting the rights and duties of neutral powers.

Germany herself has recognized that her attack constitutes a violation of international law, and, being unable to justify it, she has pleaded her strategical interests.

Belgium formally denies the allegation that Austrian and Hungarian nationals have suffered treatment in Belgium contrary to the most primitive demands of humanity.

The Belgian Government, from the very commencement of hostilities, have issued the strictest orders for the protection of Austro-Hungarian persons and property.

DAVIGNON.

Break Belgian-Turkish Relations.

59

Notes breaking diplomatic relations with Turkey, November 6, 1914.

[Belgian Gray Book, No. 2.]

No. 62.—M. Davignon, Minister for Foreign Affairs, to M. van Ypersele de Strihou, Belgian Minister at Bucharest.

[Telegram.]

LE HAVRE, November 6, 1914.

The Turkish minister has asked for his passports. Notify the Belgian minister at Constantinople either directly or through the Roumanian Government to do the same and to leave Turkey with his staff and the consular officials.

DAVIGNON.

No. 64.—M. Davignon, Minister for Foreign Affairs, to all the Belgian Ministers in Foreign Countries.

LE HAVRE, November 9, 1914.

SIR: The French Government has informed the Belgian Government of the state of war existing between France and Turkey, and in these circumstances the presence at Havre of the Turkish minister with the Belgian Government became delicate. Understanding the situation in which he was placed by the course of events His Excellency Noursret Sadoullah Bey took the initiative by asking for his passports and by putting Turkish interests in Belgium under the protection of the minister of the Netherlands.

Under date November 6, I sent to his excellency the passports which he had asked for, and remarked that, according to the interpretation of the Belgian Government, the rupture of diplomatic relations in no way implied a state of war between the two countries.

The Belgian minister at Constantinople has received instructions to ask for his passports and to leave Turkey. The care of Belgian interests in Turkey has been entrusted to the ambassador of the United States of America.

DAVIGNON.

BOLIVIA.

Extract from the Presidential Message to the Bolivian Congress of 1915, relating to neutrality.

Making reference to these matters, we expressed not long ago the following ideas: "Neutrals as we are in the armed conflict of the great powers of the Old World, we are met by the duty of seeing that our neutrality be not perverted, as it threatened to be through a passive acceptance of the sacrifice of our economical and commercial interests. Much could be obtained in that and other orders by the joint, and also the individual action harmoniously developed by the nations of North, Central, and South

America, if their interests could be bound together more than they are at present. The realization of such binding together must then constitute an essential topic of American policy, as, from it will rise the political conception so indispensable to the solidarity of these countries as well as necessary in abnormal times similar to the present, that the care of the economic interests of an American Nation as well as the respect of its neutrality interests all of them."

Although it may appear unnecessary, on account of dealing with the simple compliance of a duty, it may not be amiss to make it clear in this part, that Bolivia maintaining the best relations of friendship with all the belligerent countries, the attitude of the Government in relation to the strife that is being developed, has been and is of the most perfect neutrality, its acts having been conformed on this order with the principles contemplated in the International Convention of The Hague of October, 1907.

Extract from the report of the Bolivian minister for foreign affairs, to the Ordinary Congress of 1916, relating to neutrality.

Unfortunately the development of the national industries and the traffic of our international commerce are still struggling against the inconveniences produced by the operations of the European war, without the efforts displayed by the States that are foreign to this conflict, to safeguard and obtain the respect due the plenitude of the rights annexed to the situation of neutrality, having reached a desirable efficacy, the result being insufficient, in most cases, to establish the effectiveness of the international principles and practices that were universally accepted as indispensable to the normal life of the nations.

Our situation as a mediterranean country protects us from differences and incidents that could deprecate or place any doubt on the absolute correctness of our proceedings, before the interests and aspirations that are struggling; but, nevertheless, the Government has not neglected to resort to the mediums within its reach to protect the rights of Bolivian commerce, in all the cases in which its intervention has become necessary; and it has also not forgotten its duty to obtain the respect due to the rights of its condition as a sovereign country and claim the international consideration which is due to it.

Note breaking diplomatic relations with Germany, April 14, 1917.

[Associated Press dispatch, April 14, 1917.]

LA PAZ, BOLIVIA, April 14.

The German minister and his staff have been handed their passports by the Bolivian Government, with a note declaring that diplomatic relations between Bolivia and Germany have been severed.

The note denounces the attacks of German submarines on neutral vessels as violations of international law and of The Hague convention. It recalls that the Bolivian minister to Berlin was on board the Holland-Lloyd liner *Tubantia* when that vessel was sunk in neutral waters a year ago. The note concludes:

Your excellency will understand that although we regret the breach of diplomatic relations between Bolivia and the German Empire, such relations have become insupportable under existing circumstances. In consequence your excellency will find herewith passports for yourself and the members of your legation.

The note declares that German subjects and property will enjoy all liberties guaranteed by law, provided that they do not commit any act of delinquency, either collectively or as individuals.

BRAZIL.

*Order that complete neutrality be observed during the war of the German Empire against the French Republic and the Empire of Russia.*¹

[Decree N. 11,038 of Aug. 4, 1914.]

The President of the Republic of the United States of Brazil:

The Federal Government having received official notification from the Government of the German Empire that it finds itself in a state of war with the French Republic and the Empire of Russia.

Resolved, That there be faithfully and rigorously observed and carried out by the Brazilian authorities the rules of neutrality set forth in the circular² which accompanied the decree n. 11,037, of the 4th of the current month and year, as long as the said state of war shall last.

Rio de Janeiro, August 4, 1914. 93d of the Independence and 26th of the Republic.

HERMES R. DA FONSECA.

FREDERICO AFFONSO DE CARVALHO.

¹ Similar decrees were issued as follows: No. 11,066, war between Great Britain and Germany, Aug. 12, 1914; No. 11,068, France and Austria-Hungary, Aug. 17, 1914; No. 11,069, Austria-Hungary and Russia, Aug. 17, 1914; No. 11,092, Japan and Germany, Aug. 24, 1914; No. 11,118, Austria-Hungary and Serbia, Aug. 31, 1914; No. 11,122, Austria-Hungary and Belgium, Sept. 3, 1914; No. 11,199, Great Britain and Austria-Hungary, Oct. 7, 1914; No. 11,353, Great Britain and Turkey, Nov. 11, 1914; No. 11,590, Italy and Austria-Hungary, May 24, 1915; No. 11,684, Italy and Turkey, Aug. 24, 1915; No. 11,751, Great Britain and Bulgaria, Oct. 22, 1915; No. 11,763, Italy and Bulgaria, Oct. 27, 1915; No. 11,984, Portugal and Germany, Mar. 10, 1916.

² International Law Topics, 1916, p. 10.

Unloading, in Brazilian ports, of merchandise destined to Brazil and located on board of captured ships.

[Decree N. 11,093 of Aug. 24, 1914.]

The President of the Republic of the United States of Brazil:

Considering the advisability of favoring, as far as possible, the supplying of the markets of Brazil, facilitating the entrance of merchandise destined to them;

Considering, also, the practice followed previously by Brazil, as neutral, in occasions of war between foreign powers;

Resolved, to include in article 20 of the rules of neutrality, established by the decree n. 11,037,¹ of the 4th of the current month, also the case in which the merchant ship, captured by any one of the belligerents, comes or is brought to a Brazilian port to discharge the merchandise destined to Brazil, the said article remaining drawn up as follows:

Article 20. The captures made by a belligerent may only be brought to a Brazilian port in case of unseaworthiness, stress of weather, lack of fuel or provisions, or in case of discharge of merchandise destined to Brazil, and, also, under the conditions provided hereinbelow in Article 21. The prize must depart as soon as the cause or causes of her arrival cease. Failing that departure the Brazilian authority will notify the commander of the prize to leave at once, and, if not obeyed, will take the necessary measures to have the prize released with her officers and crew, and to intern the prize crew placed on board by the captor. Any prize entering a Brazilian port or harbor, except under the aforesaid five conditions, will be likewise released.

Add after the article 21 the following single paragraph:

In any one of the hypotheses of the Articles 20 and 21 the Brazilian Government reserves to itself the right to demand the disembarking from on board the prizes of the merchandise destined to Brazil.

Rio de Janeiro, August 24, 1914, 93d of the independence and 26th of the Republic.

HERMES R. DA FONSECA.

LAURO MÜLLER.

Declares without effect article 24¹ of the rules of neutrality which accompanied the decree N. 11037, of August 4 of the current year.

[Decree N. 11209A of Oct. 14, 1914.]

The President of the Republic of the United States of Brazil:

There being difficulties in the practical execution of the dispositions of the article 24 of the rules of neutrality which accompanied the decree N. 11037, of the 4th of last August.

Resolved, To declare without effect article 24 of the same general rules of neutrality during the time which the present state of war may last between various powers.

¹ International Law Topics, 1916, p. 13.

Rio de Janeiro, October 14, 1914, Ninety-third of the Independence and twenty-sixth of the Republic.

HERMES R. DA FONSECA.

LAURO MÜLLER.

Declares of public necessity, as long as the European war shall last, the taking over of the ships of the national merchant marine.

[Decree N. 11806 of Dec. 9, 1915.]

The President of the Republic of the United States of Brazil:

Considering that coasting navigation can not be carried on save by national ships (Constitution, art. 13, single paragraph);

That, therefore, it is a necessity of public order to take precautions, so that the national merchant marine may not disappear or be reduced to the point of not being able to lend the service to which the Federal Constitution destined it;

That these precautions are imposed, at the present moment, by the Government finding itself in the presence of a well-defined case of defense of the State (law of Sept. 9, 1826, art. 1, n. 1; decree n. 4956 of Sept. 9, 1903, art. 2, n. 1) defense of vital economic interests, and especially of the existing juridical and constitutional order;

Considering, also, that the present condition of the country, with the calamity of the drought in different States of the North, demands exceptional increase in the means of transportation, either in order to attend to those who, leaving the afflicted zone, where they do not find means of subsistence, seek refuge in other points of the Republic, or that succor may be furnished, in provisions of first necessity or in materials for public works;

That the sending of succor in times of famine or of extraordinary calamity, as is the drought, with which the interior of the north is suffering cruelly, is a case of public necessity, in the terms of the law which defined it (law of Sept. 9, 1826, art. 1, 3°), and consequently authorizes the disappropriation permitted by the federal constitution, article 72, section 17, as exception to the assurance given by it to the right of private property, in its fullness;

Considering, also, that the sale of national ships to foreigners might, by the ulterior destination which shall be given them, alter the situation of scrupulous neutrality which Brazil resolved to maintain in the war in which at present various friendly nations find themselves involved;

That in the abnormal situation in which the civilized world finds itself it behooves the Government of the union to have the greatest care and all vigilance, in order to avoid international frictions which might compromise the cordiality of the relations of perfect friendship in which fortunately we live with other peoples;

64 *Breaking Diplomatic Relations, Brazil.*

Considering, finally, that the national merchant marine might, eventually, become auxiliary of the navy, and that, consequently, to prevent its dissolution is providing for the defense of the State;

And using the attributes which article 48, n. 1, of the constitution confers upon him.

Decrees:

ART. 1. There is declared of public necessity, as long as the present European war shall last, the taking over of the ships of the national merchant marine.

ART. 2. The taking over will be carried out by the attorney of the Republic before the federal justice in the terms of the law in effect.

Rio de Janeiro, December 9, 1915, ninety-fourth of the independence and twenty-seventh of the Republic.

WENCESLAU BRAZ P. GOMES.

CARLOS MAXIMILIANO PEREIRA DOS SANTOS.

LAURO MÜLLER.

ALEXANDRINO FARIA DE ALENCAR.

JOÃO PANDIÁ CALOGERAS.

A. TAVARES DE LYRA.

JOSÉ CAETANO DE FARIA.

JOSÉ RUFINO BEZERRA CAVALCANTI.

*Notification of breaking of diplomatic relations with Germany
April 11, 1917.*

RIO JANEIRO, April 11, 1917.

Considering that the inquiry and the conclusions cabled by the legation at Paris on the subject of torpedoing of the steamer *Parana* established the fact that the *Parana* was proceeding under reduced speed, was illuminated outside and inside, including the shield with the name "Brazil," and

Considering that the steamer received no warning to stop, according to the unanimous deposition of the crew, and

Further, that the steamer was torpedoed and was shelled five times, and that the submarine made no attempt to save life.

Then, in the presence of such aggravating circumstances and in accord with the note of February 9 and the telegram of February 13, sent by the Brazilian Government to the legation at Berlin, the Brazilian Government severs relations with Germany.

Note on revocation of neutrality, June 4, 1917.

[United States Official Bulletin, No. 37.]

JUNE 4, 1917.

MR. SECRETARY OF STATE: The President of the Republic has just instructed me to inform your excellency's Government that he has approved the law which revokes Brazil's neutrality in the war

between the United States of America and the German Empire. The Republic thus recognized the fact that one of the belligerents is a constituent portion of the American Continent and that we are bound to that belligerent by traditional friendship and the same sentiment in the defense of the vital interests of America and the accepted principles of law.

Brazil ever was and is now free from warlike ambitions, and while it always refrained from showing any partiality in the European conflict, it could no longer stand unconcerned when the struggle involved the United States, actuated by no interest whatever but solely for the sake of international judicial order, and when Germany included us and the other neutral powers in the most violent acts of war.

While the comparative lack of reciprocity on the part of the American Republics divested until now the Monroe doctrine of its true character, by permitting of an interpretation based on the prerogatives of their sovereignty, the present events which brought Brazil even now to the side of the United States at a critical moment in the history of the world are still imparting to our foreign policy a practical shape of continental solidarity, a policy, however, that was also that of the former régime whenever any of the other sister friendly nations of the American Continent was concerned. The Republic strictly observed our political and diplomatic traditions and remained true to the liberal principles in which the nation was nurtured.

Thus understanding our duty and Brazil taking the position to which its antecedents and the conscience of a free people pointed, whatever fate the morrow may have in store for us, we shall conserve the constitution which governs us and which has not yet been surpassed in the guaranties due to the rights, lives, and property of foreigners.

In bringing the above-stated resolution to your excellency's knowledge, I beg you to be pleased to convey to your Government the sentiments of unalterable friendship of the Brazilian people and Government.

I avail myself of the opportunity to reiterate to your excellency the assurances of my highest consideration.

DOMICIO DA GAMA.

Declaration of war against Germany, October 26, 1917.

[United States Official Bulletin, No. 145, p. 6.]

The Department of State has been informed that at 6.20 o'clock Friday afternoon the Brazilian Senate unanimously voted the following resolution which had been approved by the Chamber at 3 o'clock:

A state of war between Brazil and the German Empire, provoked by the latter, is hereby recognized and proclaimed, and the President of the

Republic, in accordance with the request contained in his message to the National Congress, is hereby authorized to take such steps for the national defense and public safety as he shall consider adequate, to open the necessary credits and to authorize the credit operations required. All previous measures to the contrary are hereby revoked.

BULGARIA.

Neutrality declaration, July 29, 1914.

[Russian Orange Book, No. 1.]

No. 52.—The Chargé d'Affaires in Serbia to the Minister of Foreign Affairs.

[Telegram.]

NISH, 16 (29th) July, 1914.

To-day the minister of Bulgaria, in the name of his Government, informed Pachitch that Bulgaria would observe neutrality.

STRANDTMAN.

Notification of hostilities with Serbia, October 12, 1915.

[London Times, Oct. 14, 1915, p. 9, f.]

SOPIA, October 12, 1915.

This evening the Ministerial *Narodni Prava* publishes the following:

Near Bielogradchik yesterday (Monday, Oct. 11, 1915) morning Serbian troops, without any cause, attacked our forces.¹ In reply to this foolish provocation our troops, in order to defend themselves better, captured, after a short conflict, the heights of Kitka, in Serbian territory. The fighting lasted from 7 a. m. until 6 p. m.

Notification of existence of war with Serbia, October 14, 1915.

[London Times, Oct. 15, 1915, p. 9, d.]

ATHENS, October 14, 1915.

The Bulgarian minister announced to-day to the Greek Government that, in consequence of Serbian attacks at two points on

¹ "ATHENS, October 11, 1915.

This afternoon the Bulgarians began the attack on Serbia at Kadibogas, a point in the direction of Kniashevatz." (London Times, Oct. 13, 1915, p. 9, f.)

"The Serbian Legation in London learned yesterday (Oct. 12, 1915), from Nish, that during Monday (Oct. 11, 1915) the Bulgarians had begun to attack in the direction of the Vlasma." (London Times, Oct. 13, 1915, p. 9, f.)

"BUCHAREST, October 12, 1915.

According to telegrams from the frontier, the Bulgarians opened hostilities against Serbia on Monday (Oct. 11, 1915) at 4 a. m. by bombarding a train carrying munitions." (London Times, Oct. 14, 1915, p. 9, f.)

the Bulgarian frontier, Kustendil and Tren, as a result of which 70 Bulgarians were killed and 500 wounded, Bulgaria is at war with Serbia since 8 o'clock this morning.

Declaration of war against Roumania, September 1, 1916.

[Revue Générale de Droit International Public, Documents, 23: 199.]

M. Radoslavoff, president of the council of Bulgaria, to the Roumanian minister at Sofia.

I have had the honor to indicate during the last month to the royal legation of Roumania, either by notes verbales or by letters addressed to your excellency, or in his absence to M. Langaftascano, chargé d'affaires, the very numerous incidents which have constantly held on the alert the troops charged with surveillance of the Roumano-Bulgarian frontier.

These incidents, more and more frequent, always provoked from the Roumanian side, in spite of the more than correct attitude of the Bulgarian authorities and in spite of the assurances and protestations of friendship given by the Roumanian Legation, have ended by bringing to light intentions which the Bulgarian Government has hesitated to suppose of its neighbor, the recent past not having been sufficient to make them forget the sentiments of lively sympathy of the Bulgarian people toward Roumania. These sentiments date from a distant past, and in the recent past of which I speak your excellency has not forgotten the Balkan war of 1912-13, in which Roumania profited by the bloody trial which the Bulgarian people were enduring to seize from them, when they were struggling for their existence, a strip of territory, thus manifesting a tenacious ill will which nothing can justify.

The peace of Bucharest followed, which imposed on Bulgaria most heavy sacrifices. Nevertheless, she was resigned and wished to offer to her neighbor the hand of friendship. She was disappointed in her hopes. Since then evidences of animosity have continued without intermission. There was first the attitude of the Roumanian press, which overflowed with insults to Bulgaria and her sovereign; the endless difficulties over the transit of merchandise destined to Bulgaria; the refusal to deliver, in spite of regular contracts, products of prime necessity purchased in Roumania—salt, petrol, etc. There are the vexations to which the Bulgarians are exposed who live in Roumania or only cross its territory; the closure of the frontier on July 13 to merchandise and travelers from and to Bulgaria; the protests which the royal legation of Roumania at Sofia made with the greatest energy on the subject of pretended incidents provoked by the Bulgarian frontier guards, incidents which had never taken place,

such as that of Rahova, in reference to which I had the honor to write your excellency on the 15th of August, and M. Rascano on the 21st of the same month.

To the incessant frontier incidents, but of a character more or less mild, succeeded genuine battles, organized by Roumanian detachments against the Bulgarian frontier posts. Post No. 9, to the east of Kemanlar, was attacked on the night of August 25-26. Posts Nos. 10 and 13 were attacked at the same time. There were indeed veritable operations of war which the Roumanian troops carried on at the frontier; the bombardment of Kaldovo on the 28th of August, and that of Rousse the same day. The 29th of August a Roumanian detachment opened heavy fire on a Bulgarian post situated opposite them, and soon after the fire extended along the frontier line up to Bulgarian Post No. 17.

Similarly, on the shores of the Black Sea the Roumanian frontier guards vigorously attacked the Bulgarian posts and were repulsed. Finally M. Radeff has been forbidden, since August 28, to communicate with his Government. His passports were sent to him without the Bulgarian Government having been able to give him at the time instructions with reference to the circumstances which developed into a rupture of relations. On the 30th it was your excellency who demanded his passports and notified of the rupture of diplomatic relations as the natural consequence of the event which had preceded.

In the meantime, on the night of the 30th-31st, without an express declaration of war, the Roumanian Army tried to construct a bridge over the Danube before Kladovo and to cross the river in this way. Your excellency understands what is then the solution desired by the Roumanian Government, and which is compelled by the turn of events. The situation being given, as that Government has created it, Bulgaria is obliged to accept the *fait accompli*, and I have the honor, M. Minister, to bring to the knowledge of your excellency that from this morning it considers itself in a state of war with Roumania.

Accept the assurance of my highest consideration.

RADOSLAVOFF.

Proclamation of war against Roumania, September 1 (11), 1916.

[Revue Générale de Droit International Public, Doc. 23 : 200.]

Bulgarians! In 1913, after the termination of the Bulgarian war, when the Bulgarians were obliged to fight against their disloyal allies, our northern neighbor, Roumania, treacherously attacked us under pretence of a breach of the balance of power in the Balkans, and invaded the undefended portions of our fatherland without meeting resistance there. By this predatory invasion of our country she not only prevented us from harvesting the holy fruits of the war, but also succeeded, as a result

of the peace of Bucharest, in humiliating us and depriving us of our fertile districts of the Dobrudsha, the nucleus of our Kingdom. Obeying my orders, our brave army fired not a single shot against the Roumanian soldier, and allowed him to gain a sorry military fame of which he has not dared to boast till now.

Bulgarians! To-day, when Bulgaria, with the assistance of the brave troops of our allies, has succeeded in repulsing Serbia's attack on our territory, in defeating Serbia and in destroying her, and in realizing the unity of the Bulgarian people; to-day, when Bulgaria is mistress of almost all the territory over which she has historical and ethnological claims; to-day, this self-same neighbor Roumania has declared war on our ally Austria-Hungary, this time also under the pretense that the European war involves important territorial changes in the Balkans which would menace her future.

Without any declaration of war from Bulgaria, Roumanian troops had already on August 28 bombarded Rustchuk and other Bulgarian Danube towns. Owing to this provocation by Roumania, I command our brave army to chase the enemy from the frontiers of my Kingdom, to destroy a perfidious neighbor, to secure the unity of the Bulgarian people, which was achieved at the cost of so many sacrifices, and to free our brothers in the Dobrudsha from slavery. We will fight hand in hand with the brave and victorious troops of our mighty allies.

I summon the Bulgarian nation to new glorious deeds of heroism to crown the present work of liberation. May the Bulgarian soldier go on from victory to victory. Forward!

FERDINAND.

Announcement of mining of Bulgarian coast, October 15, 1915.

[London Times, Oct. 16, 1915, p. 8, d.]

SOFIA, October 15, 1915.

It is semiofficially announced that the Bulgarian coast on the Black and Aegean seas is mined, that the lighthouse lights have been extinguished, and that the entry of vessels into the port of Dedeagatch must in the future be conducted under the guidance of Bulgarian pilots.—REUTER.

CHILE.

Decree relating to the admission of vessels which have violated neutrality, September 30, 1915.

No. 1280.

DEPARTMENT OF FOREIGN AFFAIRS.

Santiago, September 30, 1915.

In order to assure in efficacious manner on the part of the belligerents a respect for the neutrality declared¹ by the Supreme Government in the present European conflict, and mindful of the

¹ International Law Topics, 1910, p. 15.

provisions of paragraph 2 or article 9 of the thirteenth convention at The Hague

I decree that: No boat of the belligerent countries which shall have violated, or may violate in the future, the rules of neutrality adopted because of the present European struggle shall be admitted in the ports of the Republic, except in the case of accident provided for in article 17 of the thirteenth convention of the Second Hague Conference.

The ship which shall infringe this provision shall be interned in conformity with article 24 of the same thirteenth convention.

BARRIOS LUCO.

ALEJANDRE LIRA.

CHINA.

Presidential mandate breaking diplomatic relations with Germany, March 14, 1917.

Our country has maintained strict neutrality since the outbreak of the war in Europe. To our surprise, a note was received from the German Government on the 2d of February of the present year, stating that beginning with that date, neutral ships would, in accordance with Germany's new blockade measures, sail in certain prohibited zones at their own risk, etc.

In view of the fact that previous to that time Chinese life and property had suffered heavy losses because of the German policy of attacking merchantmen, and that such losses would assume a far greater magnitude consequent upon the plan of unrestricted submarine warfare, we lodged a strong protest with Germany. We also declared then that if Germany should fail to change her policy, our country would be constrained to sever existing diplomatic relations.

It was our earnest hope that Germany would not insist on her policy, so that the friendly relations hitherto existing between the two countries might be preserved. Unfortunately, Germany has not yet modified her policy of submarine warfare, although our note of protest has been delivered over a month, and during all that time many cases of loss of life by our people have occurred owing to the sinking of merchantmen of the various powers.

A formal note of reply was, however, received from Germany on the 11th instant. Against our expectations and wishes, the reply stated that the blockade warfare could not be cancelled. Therefore, for the purpose of upholding international law and to safeguard the lives and property of our people, it is hereby

declared that from to-day we sever our diplomatic relations with Germany.

Bearing the seal of the President, and signed by

TUAN CHI-JUI,

Prime Minister and Minister of War, Etc.

(Here follow the signatures of the other cabinet ministers.)

Note breaking diplomatic relations with Germany, noon, March 14, 1917.

Chinese Foreign Office to German Minister at Peking.

With reference to the new submarine policy of Germany, the Government of the Republic of China, actuated by the desire to further the cause of the peace of the world and to maintain the sanctity of international law, addressed a protest to Your Excellency on February 9 and declared that if, contrary to its expectations, its protest was ineffectual, the Chinese Government would be constrained to sever the diplomatic relations at present existing between the two countries. During the lapse of a month no heed has been paid to the protest of the Chinese Government in the activities of German submarines, which have caused the loss of many Chinese lives.

On March 10 a reply was received from Your Excellency. Although it states that the German Government is willing to open negotiations to arrive at a plan for the protection of Chinese life and property, yet it declares that it is difficult for Germany to cancel her blockade policy and, therefore, is not in accord with the object of the protest, and the Chinese Government, to its deep regret, considers its protest ineffectual.

Therefore, the Chinese Government is constrained to sever the diplomatic relations at present existing with the German Government. I have the honor to send herewith a passport for Your Excellency, the members of the legation staff, and their families and retinue, for their protection while leaving Chinese territory.

As regards the German consular officers, this ministry has instructed the different commissioners for foreign affairs in the treaty ports to issue them similar passports for leaving the country.

Presidential mandate declaring war on Germany and Austria-Hungary, August 14, 1917.

On the 9th day of the 2d month of this year we addressed a protest to the German Government against the policy of submarine warfare inaugurated by Germany, which was considered by this Government as contrary to international law and imperiling neutral lives and property, and declared therein, in case the protest be ineffectual, we would be constrained, much to our regret, to sever diplomatic relations with Germany.

Contrary to our expectations, however, no modification was made in her submarine policy after the lodging of our protest. On the contrary, the number of neutral vessels and belligerent merchantmen destroyed in an indiscriminate manner were daily increasing and the Chinese lives lost were numerous. Under such circumstances, although we might yet remain indifferent and endure suffering, with the meager hope of preserving a temporary peace, yet in so doing we would never be able to satisfy our people, who are attached to righteousness and sensible to disgrace, nor could we justify ourselves before our sister states which had acted without hesitation in obedience to the dictates of the sense of duty. Both here, as well as in the friendly states, the cause of indignation was the same, and among the people of this country there could be found no difference of opinion. This Government thereupon being compelled to consider the protest as being ineffectual, notified, on the 14th of the 3rd month, the German Government of the severance of diplomatic relations and at the same time the events taking place from the beginning up to that time were announced for the general information of the public.

What we have desired is peace; what we have respected is international law; what we have to protect are the lives and property of our people. As we originally had no other grave causes of enmity against Germany, if the German Government had manifested repentance for the deplorable consequences resulting from its policy of warfare, it might still be expected to modify that policy in view of the common indignation of the whole world. That was what we eagerly desired and it was the reason why we felt reluctant to treat Germany as a common enemy. Nevertheless, during the five months following the severance of the diplomatic relations the submarine attacks continued in operation as vigorously as before. It is not Germany alone, but Austria-Hungary as well, which adopted and pursued this policy without abatement. Not only has international law been thereby violated, but also our people are suffering injury and loss. The most sincere hope on our part to bring about a better state of affairs is now shattered. Therefore it is hereby declared, against Germany as well as Austro-Hungary, that a state of war exists commencing from 10 o'clock of the 14th day of the 8th month of the 6th year of the Republic of China. In consequence thereof all treaties, agreements, conventions concluded between China and Germany, and between China and Austria-Hungary, as well as such parts of the international protocols and international agreements as concern the relations between China and Germany, and between China and Austria-Hungary, are in conformity with the law of nations and international practice, abrogated. This Government, however, will respect The Hague conventions and her international agreement respecting the humane conduct of war.

The chief object of our declaration of war is to put an end to the calamities of war and to hasten the restoration of peace, which, it is hoped, our people will fully appreciate. Seeing, however, that our people have not yet at the present time recovered from sufferings on account of the recent political disturbances and the calamity again befalls us in the breaking out of the present war, I, the President of this Republic, can not help having profound sympathy for our people when I take into consideration their further suffering. I would never resort to this step of striving for the existence of our nation unless and until I, considering it no longer possible to avoid it, am finally forced to this momentous decision.

I can not bear to think that through us the dignity of international law should be impaired, or the position in the family of nations should be undermined or the restoration of the world's peace and happiness should be retarded. It is, therefore, hoped that all of our people will exert their utmost in these hours of hardship, with a view to maintaining and strengthening the existence of the Chinese Republic, so that we may establish ourselves amidst the family of nations and share with them the happiness and benefits derived therefrom.

(Countersigned)

Gen. TUAN CHI-JUI,

Prime Minister and Minister of War, etc.

(Here follow the signatures of the other cabinet ministers.)

Declaration of war against Germany transmitted through the Netherlands minister to Peking, 10 a. m., August 14, 1917.

PEKING, 14th August, 1917.

YOUR EXCELLENCY: On 9th February last, the Chinese Government addressed a protest to the German Government against the policy of submarine warfare inaugurated by the Central European Powers, which was considered by the Chinese Government as contrary to the established principles of public international law and imperilling Chinese lives and property. The Chinese Government declared that in case its protest be ineffectual China would be constrained, much to her regret, to sever diplomatic relations with Germany.

Contrary to expectations the submarines of the Central European Powers continued to sink neutral and belligerent merchantmen whereby more Chinese were lost, and the Chinese Government could not but consider its protest to be ineffectual and notified Germany on 14th March last of the severance of diplomatic relations.

The Chinese Government still expected that the general condemnation of that policy—a policy contrary to public international law and violating the principles of humanity—would lead

to its modification, but it now finds that its expectations are no longer realizable.

The Chinese Government, actuated by the desire to maintain international law and protect Chinese lives and property, can not remain indifferent to this state of affairs indefinitely, and therefore now declares that a state of war exists between China and Germany from 10 o'clock a. m. of the 14th day of the 8th month of the sixth year of the Republic of China. In consequence hereof the treaty of 2d September, 1861, the supplementary convention of 31st March, 1880, and all other treaties, conventions and agreements of whatever nature, at present in force between China and Germany, are abrogated, as also all such provisions of the protocol of 7th September, 1901, and other similar international agreements as only concern China and Germany. China, however, declares that she will conform to the provisions of the Hague conventions and other international agreements respecting the humane conduct of war.

Besides telegraphically requesting the Danish Government to inform the German Government, I have the honor to request Your Excellency to transmit this note to the German Government.

I avail, etc.

His Excellency,

JONKEER BEERLAERTS VAN BLOKLAND,
*Envoy Extraordinary and Minister
Plenipotentiary of The Netherlands.*

Declaration of war against Austria-Hungary, 10 a. m., August 14, 1917.¹

PEKING, 14th August, 1917.

YOUR EXCELLENCY: On 9th February last the Chinese Government addressed a protest to the German Government against the policy of submarine warfare inaugurated by the central European powers, which was considered by the Chinese Government as con-

¹ The Austro-Hungarian minister replied as follows:

PEKING, 14th August, 1917.

YOUR EXCELLENCY: I have the honor to acknowledge the receipt of your note of to-day of the following tenor:

(Here follows text of Chinese note above.)

I can not here enter into the arguments contained in the declaration of war, but feel bound to state that I must consider this declaration as unconstitutional and illegal, seeing that, according to so high an authority as the former President Li Yuan-hung, such a declaration requires the approbation of both Houses of Parliament.

His Excellency,

WANG TA-HSIEH,
Minister of Foreign Affairs.

The Chinese Government returned this communication from the Austrian minister without comment. The grounds taken by Foreign Minister Wang Ta-hsieh were that no communications could be received from the Austrian representative since he had ceased to have a diplomatic status.

trary to the established principles of public international law and imperiling Chinese lives and property.

The Chinese Government, considering its protest to be ineffectual, later notified the German Government, on 14th March last, of the severance of diplomatic relations with Germany, which fact was duly communicated to your excellency.

As the policy inaugurated by the central European powers—a policy contrary to public international law and violating the principles of humanity—remains unmodified, the Chinese Government, actuated by the desire to maintain international law and protect Chinese lives and property, can not remain indifferent indefinitely.

Inasmuch as Austria-Hungary is acting in this matter in concert with Germany, the Chinese Government is unable to adopt a different attitude toward them, and therefore now declares that a state of war exists between China and Austria-Hungary from 10 o'clock a. m. of the 14th day of the eighth month of the sixth year of the Republic of China. In consequence thereof the treaty of 2d September, 1869, and all other treaties, conventions, and agreements of whatever nature at present in force between China and Austria-Hungary are abrogated, as also all such provisions of the protocol of 7th September, 1901, and other similar international agreements as only concern China and Austria-Hungary. China, however, declares that she will conform to the provisions of The Hague conventions and other international agreements respecting the humane conduct of war.

Besides telegraphing to the Chinese minister at Vienna to inform the Austro-Hungarian Government and to apply for his passport, I have the honor to send you herewith passports for Your Excellency, the members of the Austro-Hungarian legation, and their families and retinue for protection while leaving Chinese territory. With regard to consular officers of Austria-Hungary in China, this ministry has instructed the different commissioners of foreign affairs to issue them likewise passports for leaving the country.

I avail, etc.

His Excellency Dr. A. von ROSTHORN,
*Envoy Extraordinary and Minister
Plenipotentiary of Austria-Hungary.*

Notification of declaration of war against Germany and Austria-Hungary, August 14, 1917.

Chinese Foreign Office to Ministers of Neutral and Allied Powers at Peking.

PEKING, 14th August, 1917.

YOUR EXCELLENCY :

On 14th March last, the Chinese Government severed its diplomatic relations with Germany, which fact was duly communicated to Your Excellency for transmission to your Government.

As there is no hope of the Central European Powers modifying their policy of submarine warfare—a policy contrary to public international law and violating the principles of humanity—the Chinese Government has therefore declared that a state of war exists simultaneously between China and Germany as well as Austria-Hungary as from 10 o'clock a. m. of the 14th day of the 8th month of the sixth year of the Republic of China, and that all the treaties of whatever nature between China and Germany as well as Austria-Hungary are abrogated, as also all such provisions of the Protocol of 7th September, 1901, and other similar international agreements as only concern China and Germany as well as Austria-Hungary. The Chinese Government, however, declares that it will conform to the provisions of the Hague Conventions and other international agreements respecting the humane conduct of war.

I have the honor to request Your Excellency to take note of this communication and to be so good as to transmit its contents to your Government.

I avail, etc.

Notification to the United States of declaration of war against Germany and Austria-Hungary, August 14, 1917.¹

[U. S. Official Bulletin, No. 84, p. 1.]

The Chinese Minister to the Secretary of State.

AUGUST 14, 1917.

SIR: In pursuance of instructions from my Government, I have the honor to inform you that China having previously broken off diplomatic relations with Germany, after protesting in vain against the policy of submarine warfare adopted by the central powers of Europe, in the hope that Germany might change that policy out of

¹ WASHINGTON, August 16.—China's official explanation of the declaration of a state of war with Germany and Austria-Hungary, in the form of a statement by the foreign office, was received last night at the Chinese Legation here. It said:

"In view of the many kinds of German intrigue seeking to create disorder in China, the Chinese Government found it impossible to wait for the convocation of parliament before declaring the existence of the state of war with Germany, especially since the rupture of diplomatic relations with the Imperial German Government had been previously approved by parliament almost unanimously.

"Austria-Hungary has all along been acting in concert with the German Imperial Government. Moreover, the Austrians, like the Germans, have special settlements in China, which might easily be used by Germans, who speak the same language as Austrians, as a base of operation for further intrigues, thereby rendering the situation all the more difficult for China to cope with.

"The Chinese Government, therefore, was unable to adopt a different attitude toward Austria-Hungary, but was constrained, as an act of self-protection, simultaneously to accord her the same treatment as was accorded Germany."

consideration for the adverse opinion of the world, now the Government of the Republic, having been disappointed in this hope, in order to manifest proper respect for the law of nations and to protect the lives and property of its citizens, declares that a state of war exists with Germany and Austria-Hungary from 10 o'clock in the forenoon of the 14th instant, and that it will observe all the stipulations of the conventions signed at the International Peace Conferences at The Hague and other international agreements relating to civilized warfare.

Accept, sir, the renewed assurances of my highest consideration.

VI KYUIN WELLINGTON KOO.

COSTA RICA.

Note stating attitude toward war between United States and Germany April 12, 1917.¹

[Note delivered by R. Fernandez Guardia, diplomatic agent of the Tinoco Government.]

The United States having declared that a state of war exists with the Imperial Government, my Government has instructed me to reiterate to your excellency the assurances of Costa Rica's most loyal and sincere friendship for the United States.

The Costa Rican Government considers that it is the duty of all American Republics to support, at least morally, the noble attitude assumed by the United States in defense of the highest ideals of law, of right and justice, and of democracy.

The Republic of Costa Rica regrets that because of its lack of material strength it can not in this crisis tender to the United States a more substantial cooperation, but if it might be permitted to demonstrate its solidarity with the Government and the people of its great sister Republic of the North in such manner, for instance, as by permitting the use of its waters and ports for war needs by the American Navy, that cooperation would be undertaken with the greatest satisfaction.

CUBA.

Declaration of war against Germany, April 7, 1917.

[Gaceta Oficial, Edicion extraordinaria, No. 20, p. 3.]

MARIO G. MENOCAL, PRESIDENT OF THE REPUBLIC OF CUBA.

Whereas the Congress has voted and I have sanctioned the following Joint Resolution:

ARTICLE 1. *Resolved*, That from to-day a state of war is formally declared between the Republic of Cuba and the Imperial Government of Germany, and the President of the Republic is authorized and directed by this resolution to employ all the forces of the

¹ Costa Rica declared war upon Germany May 24, 1918, preceded by Nicaragua on May 7, 1918. (Associated Press dispatches.)

nation and the resources of our Government to make war against the Imperial German Government, with the object of maintaining our rights, guarding our territory, and providing for our security, prevent any acts which may be attempted against us, and defend the navigation of the seas, the liberty of commerce, and the rights of neutrals and international justice.

ART. 2. The President of the Republic is hereby authorized to use all the land and naval forces in the form he may deem necessary, using existing forces, reorganizing them, or creating new ones, and to dispose of the economic forces of the nation in any way he may deem necessary.

ART. 3. The President will give account to Congress of the measures adopted in fulfillment of this law, which will be in operation from the moment of its publication in the official gazette.

Therefore, I command that the present law be complied with and executed in all its parts.

Given at the palace of the President in Habana, April the seventh, nineteen hundred and seventeen.

M. G. MENOCAL

PABLO DESVERNINE,
Secretary of State.

DENMARK.¹

Royal proclamation in reference to neutrality, August 1, 1914.

Under the serious conditions which have arisen for our country through the fateful occurrences of the last few days, we feel constrained to make the following statement to our people:

Never has the feeling of responsibility on the part of the individual or nation been more strongly aroused.

Our country is in friendly relations with all nations. We feel assured that the strong and impartial neutrality which has always been cherished as our foreign policy, and which will now be followed undeviatingly, will be respected by all.

But though this be the common view of the Government and of all responsible and thoughtful men, we also trust that no one, through untimely utterance of opinion, through thoughtless demonstration, or in similar ways, may compromise the dignity and serenity which are so essential to create reliance in our country's attitude. We feel convinced that the seriousness of the hour will impress the acts of all Danish men and women.

God protect our fatherland!

CHRISTIAN, R.
ZAHLE.

¹ See Norway, p. 183.

Law by which it is forbidden to aid belligerent powers from Danish territory, August 2, 1914.

AMALIENBORG, August 2, 1914.

We, Christian the Tenth, by the grace of God King of Denmark, of the Vandals and Goths, Duke of Slesvig, Holstein, the Ditmarshes, Lauenborg, and Oldenborg—

Cause to be known that the Rigsdag has adopted and we by our consent have confirmed the following law :

SECTION 1. By imprisonment, or under peculiarly mitigating circumstances with fine, is to be punished, in so far as more severe punishment is not provided, he who, in case of war in which the Danish State is neutral, within Danish territory commits any of the acts hereinafter mentioned :

1. Publicly induces entry into the armed forces of the belligerents, on land or at sea, or in any other way gives them warlike assistance, and also, when the Government has issued special prohibition against it, publicly invites participation in a State loan to any of the belligerent powers ;

2. In so far as the Government has issued special prohibitions against such acts, in any way takes service in the armed forces of the belligerent powers or on board their public ships, including therein the lading of their transports, or, except in case of accident through peril of the seas, assists them in navigation ;

3. Constructs or reconstructs, sells, or in any other way transfers, directly or indirectly, to any of the belligerent powers ships which it is known or there is reasonable ground to believe, are destined to warlike use ; as well as in any way assists in arming such ships or fitting them out for warlike undertakings ;

4. Supports any of the belligerent powers in their warlike undertakings, such as by supplying their warships with military supplies or armament, by supplying them with provisions or fuel beyond that which is permitted under royal regulations, by repairing such ships further than that which is absolutely necessary for the safety of navigation, or, besides, taking any measures with the object of increasing the strength or mobility in war of such ships ;

5. Assists in violations of neutrality against the Danish State by any of the belligerent powers.

The ordinary provisions of the criminal law for the punishment of participation or attempt shall be applied.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, August 2, 1914.

Under our royal hand and seal.

CHRISTIAN, R. [L. S.]

ZAHLE.

Amendment to the general criminal law of February 10, 1866, in reference to the establishment of foreign military intelligence departments in neutral territory August 2, 1914.

We, Christian the Tenth, etc.

SECTION 1. Anyone who undertakes anything whereby a foreign military intelligence department is placed in a position, or is assisted, directly or indirectly, to operate within the domain of the Danish State, shall be punished, in so far as more severe punishment is not provided, with fine, imprisonment, or, under aggravating circumstances, with hard labor not to exceed two years.

SEC. 2. Complaint as to the above-mentioned acts can only occur upon the orders of the minister of justice.

This law goes into effect at once.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, August 2, 1914.

Under our royal hand and seal.

CHRISTIAN, R.
ZAHLE.

Amendment to section 13 of the law of May 15, 1875, concerning the supervision over foreigners, travelers, etc., August 2, 1914.

We, Christian the Tenth, etc.

As to the second paragraph in section 13 there is inserted:

Furthermore, the minister of justice shall be entitled to deport persons who commit acts described in the law of this date amending the general criminal law of February 10, 1866, unless they are Danish subjects.

This law goes into effect at once.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg August 2, 1914.

Under our royal hand and seal.

CHRISTIAN, R.
ZAHLE.

Law in regard to compulsory pilotage into or out of Copenhagen, August 2, 1914.

We, Christian the Tenth, etc.

SECTION 1. When conditions necessitate, as a measure for the enforcement of neutrality, that in waters in the vicinity of Copenhagen ships may not navigate without pilotage assistance, the minister in charge of the pilotage department is authorized to order compulsory pilotage on entering or leaving Copenhagen.

SEC. 2. The minister is authorized to make regulations in regard to the areas within which ships shall be subject to compulsory pilotage, as well as the rules which shall be observed in that respect.

SEC. 3. Compulsory pilotage is to be carried out without direct

expense to vessels. For every pilotage executed, going north or south, in the area between Taarbaek Reef and Kronelöbets Breakwater, the Government treasury shall pay the sum of 4½ kroner as the summer rate, and 6 kroner as the winter rate, irrespective of the size of the ship. In the period from April 1 to September 30, this sum is determined according to the summer rate, and in the remainder of the year according to the winter rate. For a pilotage service which falls within both periods, the sum is to be reckoned according to the rate in force at the time the service begins.

SEC. 4. As long as this compulsory pilotage continues, the three sound pilotage stations shall work with a common fund, and the sums so received shall be divided among the three stations in the ratio of the respective gross incomes of the stations during the last calendar year. The pilotage income which is to be paid into the common fund by the Helsingör (Elsinore) pilotage station is as far as concerns the channel and long pilotage, the share of this pilotage station in the fees for these pilotage services; and on behalf of the oresunds pilotage station, those sums which result after the accounting with the Viken pilotage station has been settled.

Section 42 of the pilotage law shall apply as far as concerns the sums due to each pilotage station under the distribution.

SEC. 5. If the above compulsory pilotage shall necessitate the appointment of assistant pilots at the stations, they shall be paid according to a share in the pilotage fees to be determined by the minister or by a settled monthly honorarium.

SEC. 6. The management of the pilot ship which will be placed on the station as a result of the provisions of this law, does not concern the sound pilotage stations.

From such a station ship the necessary watch and ship's service shall be rendered in regard to receiving pilots from and placing them on board ships.

SEC. 7. In so far as the expenses of the management of the pilot stations' steam and motor boats are larger than normal in comparison with the receipts, the minister may permit the increase to be met out of treasury funds. Said sum belongs to the "yal fund" of the pilotage station concerned.

SEC. 8. This law goes into force at once.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, August 2, 1914.

Under our royal hand and seat.

CHRISTIAN, R. (I. S.)

P. MUNCH.

*Notification concerning the relation of Danish subjects toward
Government vessels of belligerent powers, August 11, 1914.*

Under penalty according to the law of August 2, 1914, forbidding support from Danish territory to belligerent powers, it is hereby forbidden Danish subjects to take service in any capacity in belligerent powers' public ships, including therein the pilotage of their warships or transports or, apart from accidents due to perils of the sea, to give them help in navigation. However, pilots authorized by the Danish authorities may, in accordance with the existing rules of neutrality, within their respective pilotage areas, pilot the ships of war of the belligerent powers on their entry into or departure from Danish harbors and roadsteads. On the occasion of such pilotage service, the Danish sanitary, pilotage, customs, harbor, and police regulations shall be observed and maintained.

The Ministry of Marine, August 11, 1914.

P. MUNCH.

SAXILD.

*Amendment to the general criminal law of February 10, 1866, in
reference to military defenses and violations of neutrality,
September 9, 1914.*

We, Christian, etc.

Anyone who does the following acts, intentionally or negligently, shall be punishable with fine or simple imprisonment or under peculiarly aggravating circumstances with imprisonment upon customary prison fare not to exceed six months, in so far as a more severe punishment is not provided:

(a) Without due authorization, describes or draws plans of Danish military defense works, or copies or publishes such descriptions or drawings.

(b) Violates any regulations or prohibitions established by the civil or military authorities in execution of the Government's neutrality measures.

This law goes into force at once.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, September 9, 1914.

Under our royal hand and seal.

CHRISTIAN, R. [L. S.]

ZAHLE.

*Law concerning penalty for violation of declaration touching im-
portation and exportation, October 29, 1914.*

We, Christian the Tenth, etc.

Anyone who acts or attempts to act at variance with a declaration made by him before a public authority in regard to the destination of a ship or goods which he intends to export from or import into this country, as well as anyone who intentionally co-

operates to that end, shall be punished with fine from 500 to 10,000 kroner, or imprisonment; compare the general criminal law section 35, according to which the goods are confiscable. The fine shall go into the public treasury. The case is to be dealt with as a public police prosecution.

This law goes into force at once.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, October 29, 1914.

Under our royal hand and seal.

CHRISTIAN, R. [L. S.]

ZAHLE.

Notification in regard to the prohibition from using the flag of a foreign nation April 10, 1915.

As an addition to the existing regulations compare royal resolution of July 7, 1854, made public by the circular of the ministry of justice of August 2, 1854, it is forbidden in this country to hoist any other flag than the Dannebrog, as it is likewise forbidden to make use of the flag of a belligerent power either under the open sky or in inns, public houses, or other places where the public is admitted, whether the use thereof is for decoration or any other purposes.

The prohibition does not include:

(a) The ministers, consuls, or vice consuls of foreign States. These are entitled to hoist the flag which concerns them before their official offices in this country as well as before the residences of the ministers.

(b) Such persons as have received the permission of the ministry of justice to hoist a foreign national flag.

Violations of this notification will be punished according to law No. 200. September 9, 1914, amendment to the general criminal law of February 10, 1866.

If anyone violates this notification, he is bound, on request of the proper police authorities, to deliver up the unlawfully employed flag. The latter may then be taken into custody of the authorities until the case which is to be instituted on the occasion of the violation has been finally concluded.

This notification goes into force at once.

The ministry of justice, April 10, 1915.

ZAHLE.

Temporary law concerning the amendment to the law of April 1, 1892, regarding the registration of Danish ships May 7, 1915.

We, Christian the Tenth, etc.

No ship may obtain certificate of nationality or registration or temporary certificate of nationality without first securing the permission of the Government.

This law goes into force at once, and it shall remain in force until it is abrogated by royal resolution, but not beyond October 15, 1915.¹

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, May 7, 1915.

Under our royal hand and seal.

CHRISTIAN R.

HASSING JÖRGENSEN.

Law concerning temporary amendment to the General Criminal Law of February 10, 1866, in reference to attempts to cause partiality in commercial matters or public opinion in time of Neutrality, June 17, 1915.

We, Christian Tenth, etc.,

1. Whoever publicly in writing or orally without warrant attacks Danish Government officials in order that in settlements concerning imports and exports there shall not be observed that impartiality as to belligerent countries which is required by neutrality, shall be punished, in so far as a more severe punishment is not provided by general laws, by fine of not less than 500 kroner or imprisonment.

The same punishment shall apply to whoever publicly in writing or orally endeavors to incite the population against a belligerent nation.

2. This law, which goes into effect at once, shall cease to be effective on January 1, 1916, if it has not been abrogated before that time by royal regulation.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, June 17, 1915.

Under our royal hand and seal.

CHRISTIAN R.

ZAHLE.

Notification of prohibition of sale of Danish ships abroad, October 6, 1915.

In regard to section 1 of the temporary law of August 7, 1914, as to the regulation of the price of necessities of life and commodities, compare law of November 16, 1914, concerning the punishment for violation of the measures taken in execution of said law, the following is ordered after discussion with the ministry of commerce:

SEC. 1. Until further notice it is forbidden under any form to transfer to foreign countries (foreign citizens, foreign firms, etc.) ships registered in the Danish registry of ships, or for which there has been issued a temporary Danish certificate of nationality.

¹ By a law of October 15, 1915, the time was extended to March 5, 1916, and by a law of March 13, 1916, to October 15, 1916.

SEC. 2. Application for radiation from the ships registry in consequence of transfer to foreign countries will not until further notice be received by the bureau of registration and ships survey.

SEC. 3. This notice goes into effect at once.

The Ministry of the Interior, October 6, 1915.

OVE RODE.

FR. MARTENSEN-LARSEN.

Law in regard to amendment of the General Criminal Law of February 10, 1866, in reference to false declarations of the ultimate destination of imported goods, April 5, 1916.

We, Christian the Tenth, etc.

Whoever acts in contradiction to a declaration made by him before the committee of the wholesalers or the Industrial Council as to the manner in which he will deal with goods imported by him or which he intends to import into the country through the committee of wholesalers, or of which he has come into possession with the object of dealing in the same, shall be punished with imprisonment, or under mitigating circumstances with fine.

This law goes into effect at once, and shall cease to be effective January 1, 1917, if it has not been abrogated before that time by royal regulation.

All who are concerned shall govern themselves accordingly.

Given at Amalienborg, April 5, 1916.

Under our royal hand and seal.

CHRISTIAN R.

ZAHLE.

DOMINICAN REPUBLIC.

Decree relating to clearance of merchant vessels November 25, 1914.

[Gazeta Oficial, Dec. 9, 1914.]

Dr. Ramon Baez, Provisional President of the Republic:

Whereas it is the duty imposed by the neutrality of States to prevent any illicit traffic by sea;

In use of the faculties with which I am invested;

I decree:

ARTICLE 1. No merchant vessel shall be dispatched from the ports of the Republic without the statement from the consular agent of the country to which it belongs that the trip is a commercial one, and without the port of destination and stopping places being indicated.

Let it be communicated and published:

Given in Santo Domingo, etc., this 25th day of November, 1914.

Dr. BAEZ.

The Secretary of War and Marine,

PEDRO A. LLUNERES.

Decree relating to clearance of merchant vessels January 5, 1915.

[Gaceta Oficial, Jan. 13, 1915.]

Juan I. Jimenes, Constitutional President of the Republic:

Whereas it is the duty imposed by the neutrality of States to prevent any illicit traffic by sea;

Whereas the decree of November 25, 1914, relative to the dispatch of foreign merchant vessels leaves unsanctioned the order contained in its sole article:

In use of the attributes that the constitution of State in article 53, 3d insert, confers on me:

I decree:

ARTICLE 1. No merchant vessel shall be dispatched from the ports of the Republic without the statement of the consular agent of the country to which it belongs that the trip is a commercial one, and without the port of destination and stopping places being indicated.

ART. 2. If it should be proved that a vessel dispatched from one of the ports of the Republic has not gone directly to its stopping places or port of destination, according to the declaration made by the consular agent, the Dominican maritime authorities shall detain that vessel the first time it returns to one of the ports of the Republic and shall consider it as a part of the naval forces of the country to which it belongs and shall treat it as such.

Let it be communicated and published.

Given in Santo Domingo, etc., January 5, 1915.

J. I. JIMENES.

The Secretary of War and Marine,

DESIDERIO ARIAS.

FRANCE.

WAR DECLARATIONS.

Notification of war with Germany, August 4, 1914.

[French Yellow Book. Journal Officiel, Aug. 6, 1914, p. 7133.]

No. 157.—Notification of the French Government to the representatives of the Powers at Paris.

The German Imperial Government, after having allowed its armed forces to cross the frontier, and to permit various acts of murder and pillage on French territory; after having violated the neutrality of the Grand Duchy of Luxemburg in defiance of the stipulations of the Convention of London, 11th of May, 1867,¹ and of Convention V of The Hague, October 18, 1907, on the rights and duties of powers and persons in case of war on land (arts. 1 and 2), conventions which have been signed by the German Government; after having addressed an ultimatum to the Royal

¹ British and Foreign State Papers, 57: 32.

Government of Belgium with the object of requiring passage for German troops through Belgian territory in violation of the treaties of April 19, 1839,¹ which had been signed by them, and in violation of the above Convention of The Hague.

Have declared war on France at 6.45 p. m. on August 3, 1914.

In these circumstances the Government of the Republic find themselves obliged on their side to have recourse to arms.

They have in consequence the honor of informing by these presents the Government of * * * that a state of war exists between France and Germany dating from 6.45 p. m. on August 3, 1914.

The Government of the Republic protest before all civilized nations, and especially those Governments which have signed the conventions and treaties referred to above, against the violation by the German Empire of their international engagements, and they reserve full right for reprisals which they might find themselves brought to exercise against an enemy so little regardful of its plighted word.

The Government of the Republic, who propose to observe the principles of the law of nations, will, during the hostilities, and assuming that reciprocity will be observed, act in accordance with the International Conventions signed by France concerning the law of war on land and sea.

The present notification, made in accordance with article 2 of the Third Convention of The Hague of October 18, 1907, relating to the opening of hostilities and handed to * * *.

PARIS, August 5, 1914—2 p. m.²

Note relating to breaking of diplomatic relations with Austria-Hungary, August 10, 1914.

[Austro-Hungarian Red Book.]

LXIII. Count Szécsen to Count Berchtold.

(Telegram.)

PARIS, August 10, 1914.

Received telegram of 9th August.

Immediately communicated contents to M. Doumergue. The Minister, having received a similar telegraphic report from M. Dumaine concerning his conversation with you, is satisfied that our troops are not on the French frontier, but says that he has positive information that an Austro-Hungarian army corps has been transported to Germany, thus enabling the latter to withdraw her own troops from the German territories now occupied by our forces. In the Minister's view this facilitates the military operations of the Germans.

¹ British and Foreign State Papers, 27: 990.

² As corrected, Journ. Off., Aug. 9, 1914, p. 7286.

I have repeatedly called the Minister's attention to the wording of your reply; he recognizes that there could be no question of an active participation of our troops in the Franco-German war, but insists that the presence of our troops on German territory is undeniable and represents military support to Germany. Under these circumstances, he has instructed the French Ambassador in Vienna to ask immediately for his passports and to leave Vienna with the entire staff of the Embassy, to-day.

The Minister told me that, under the circumstances, my presence here could be of no avail, but owing to public excitement, might even give rise to unpleasant incidents which he would like to avoid. He offered to have a special train ready to-night for my conveyance out of France. I replied that it would be impossible for me to obtain instructions from you by to-night, but in view of the recall of M. Dumaine, I begged him to have my passports handed to me.

*Notification of declaration of war against Austria-Hungary,
August 13, 1914.¹*

(Journ. Off., Aug. 14, 1914, p. 1418; Dalloz, *Le Guerre de 1914*, 1: 79.)

The following notification was, under date of yesterday, sent to his excellency the Ambassador of the United States at Paris, in charge of Austro-Hungarian interests in France, as well as to the diplomatic representatives of powers accredited at Paris.

"After having been, in spite of pacific affirmations, the original co-author of the aggression of Germany against France, the imperial and royal Government of Austria-Hungary, by acts of military assistance given to Germany, and incompatible with neutrality, provoked, on the date of August 10, 1914, the rupture of diplomatic relations between the cabinets of Paris and Vienna.

"New information having established that the imperial and royal government persists in the assistance above denounced, the government of the Republic, sees itself constrained to no longer recognize it as neutral and to consider it as an enemy from the date of August 12, at midnight.

"The present notification is made in conformity with article 2, of the III Convention of the Hague of October 18, 1907, relative to the opening of hostilities and is sent to (diplomatic representative at Paris of the power to which notification is made) at Paris, August 13, 1914, at 4 o'clock in the afternoon.

¹ For text of note to Austro-Hungarian Government, transmitted through the British Government, see *supra*, p. 117.

Provisions for Peace.

89

Notice of declaration by the Triple Entente, September 4, 1914.¹

[French Yellow Book.]

No. 160.—M. Delcassé, Minister for Foreign Affairs, to the French ambassadors and ministers abroad.

PARIS, September 4, 1914.

The following declaration has this morning been signed at the foreign office at London:

The undersigned, duly authorized thereto by their respective Governments, hereby declare as follows:

"The British, French, and Russian Governments mutually engage not to conclude peace separately during the present war. The three Governments agree that when terms of peace come to be discussed, no one of the allies will demand terms of peace without the previous agreement of each of the other allies."

PAUL CAMBON.
COUNT BENCKENDORFF.
EDWARD GREY.

This declaration will be published to-day.

DELCASSÉ.

ADHESION OF JAPAN. (REV. GÉN., DOC., 23 : 4.)

The Ambassadors of France and Russia and the Secretary of State for Foreign Affairs of Great Britain to the Ambassador of Japan at London, M. Inoué.

LONDON, October 19, 1915.

EXCELLENCY: We, the undersigned, duly authorized by our respective Governments, have the honor to invite the Imperial Government of Japan to signify, by the intermediary of your excellency, its adhesion to the declaration between the French, Russian, and British Governments, signed at London, September 4, 1914, the text of which is thus conceived:

"The French, Russian, and British Governments mutually engage not to conclude peace separately during the present war. The three Governments agree that when terms of peace come to be discussed, no one of the allies will demand terms of peace without the previous agreement of each of the other allies."

Wishing your, etc.

PAUL CAMBON.
BENCKENDORFF.
E. GREY.

REPLY OF THE JAPANESE AMBASSADOR AT LONDON.

LONDON, October 19, 1915.

I have the honor to make known to your excellency that the Imperial Japanese Government has authorized me to make known its entire and complete adhesion to the terms of this declaration.

INOUE.

ADHESION OF ITALY. (REV. GÉN., DOC., 23 : 124.)

The Italian Government having decided to adhere to the declaration made at London, September 4, 1914, by the British, French, and Russian Governments, a declaration to which the Japanese Government has ad-

hered under date of October 19, 1915, the undersigned, duly authorized by their respective Governments, make the following declaration: "The British, French, Italian, Japanese, and Russian Governments engage not to conclude a separate peace during the course of the present war. The five Governments agree that when there will be occasion for discussion of terms of peace, none of the allied powers will propose conditions of peace without a previous understanding with each of the other allies."

In faith of which the undersigned have signed the present declaration and have attached thereto their seals.

Done at London, in five originals, November 30, 1915.

E. GREY.
PAUL CAMBON.
IMPERIALI.
INOUE.
BENCKENDORFF.

Declaration recognizing a state of war with Turkey, November 5, 1914.¹

[Rev. Gén., Doc., 22:6.]

The acts of hostility which the Turkish fleet, commanded by German officers, has committed against a French merchant vessel and which have caused the death of two Frenchmen and serious damage to the vessel, not having been followed by the dismissal of the German military and naval missions, a measure by which the Porte might still have relieved itself of responsibility, the Government of the Republic is obliged to state that by the act of the Ottoman Government the state of war exists between France and Turkey.

¹ Exequaturs were withdrawn from Turkish consuls on November 6 (Journ. Off., Nov. 7, 1914):

The President of the French Republic, on the report of the minister of foreign affairs

Decrees:

ARTICLE 1. By reason of the state of war between France and Turkey, the exequaturs accorded to the Ottoman consul general, consuls and consular agents in France and in the colonies and protectorates are withdrawn.

ART. 2. The minister of foreign affairs is charged with the execution of the present decree.

Done at Bordeaux, the 6th November, 1914.

R. POINCARÉ.

By the President of the Republic.

DELCASSÉ.

The Minister of Foreign Affairs.

The French prize court has said: "The state of war existed *en fait* between France and Turkey since October 29, 1914, at 3 o'clock in the morning, the time of the bombardment by the Turks of the port of Odessa, where there was a French vessel which was bombarded and on board of which two French nationals were killed." (The *Mahroussch*, Journ. Off., Dec. 17, 1915; *Décisions du Conseil des Prises*, 1:94.)

Declaration of war against Bulgaria, 6 a. m., October 16, 1915.

[Journ. Off., Oct. 18, 1915, p. 7481.]

Bulgaria having taken action with our enemies and against one of the allies of France, the Government of the Republic announces that a state of war exists between France and Bulgaria, from October 16 at 6 o'clock in the morning, through the action of Bulgaria.

BLOCKADES AND COMMERCIAL RESTRICTIONS.

Notification, blockade of Cameroons, April 23, 1915.¹

[Journ. Off., Apr. 23, 1915, p. 2497.]

On date of April 20, 1915, the commander of the allied naval forces, present at the Cameroons, acting by virtue of the powers vested in him, declared that from Wednesday, April 23, 1915, at midnight, mean Greenwich time, the part of the coast of Cameroon comprised between the limits indicated below will be held in a state of blockade by the said naval forces:

1. Between the mouth of the Akwayafe River, latitude $4^{\circ} 41'$ north, longitude $8^{\circ} 30'$ east, and the mouth of the Bimbia Creek, latitude $3^{\circ} 58'$ north, longitude $9^{\circ} 18'$ east.

2. Between the mouth of the Sanaga River, latitude $3^{\circ} 35'$ north, longitude $9^{\circ} 39'$ east, and the mouth of the Campo River, latitude $2^{\circ} 21'$ north, longitude $9^{\circ} 50'$ east.

The longitudes are counted from the Greenwich meridian.

Friendly and neutral vessels present on the blockaded coast may weigh anchor and will be free to pass until Sunday, April 25, 1915, at midnight, mean Greenwich time.

All vessels which attempt to violate the blockade will be proceeded against according to international law.

Notification of this declaration has been regularly made to the German authorities of the parts of Cameroon not occupied by the allied troops, as well as to the Governor General at Fernando-Po.

Notification, restriction of Cameroons blockade, January 10, 1916.¹

[Journ. Off., Jan. 12, 1916, p. 295.]

On date of January 10, zero o'clock, the blockade of the coast of the Cameroons (coast of West Africa), the object of the notification published in the *Journal Officiel* of April 23, 1915, is restricted to the following limits:

Between the mouth of the Sanaga River, latitude $3^{\circ} 35'$ north, longitude $9^{\circ} 39'$ east, and the mouth of the Campo River, latitude $2^{\circ} 21'$ north, longitude $9^{\circ} 50'$ east.

The longitudes are counted from the Greenwich meridian.

¹ See British notifications, *infra*, p. 135.

Notification, raising of Cameroons blockade, March 1, 1916.

[Journ. Off., Mar. 1, 1916, p. 1642.]

From the date of March 1, 1916, zero o'clock, the blockade of the coast of the Cameroons (coast of West Africa), the object of notifications published in the *Journal Officiel* of April 23, 1915, and January 12, 1916, is declared raised.

Notification, blockade of Asia Minor, June 2, 1915.¹

[Journ. Off., June 6, 1915, p. 8641.]

The Government of his Britannic Majesty made known on June 1, 1915, its decision to declare under blockade, from June 2, 1915, the coast of Asia Minor extending between 37° 35' north latitude and 40° 45' north latitude, and comprising the entrance of the Dardanelles. Seventy-two hours of grace from the date of the commencement of the blockade have been accorded to neutral vessels to leave the blockaded zone.

The Government of the Republic hereby gives notice that the said blockade is also maintained by French naval forces.

Notification, blockade of Asia Minor and Syria, August 25, 1915.

[Journ. Off., Aug. 27, 1915, p. 6005.]

On date of August 22, 1915, the commander in chief of the navy in the Mediterranean, acting by virtue of the powers conferred upon him by the Government of the Republic, declared in a state of blockade the coasts of Asia Minor and of Syria from the Island of Samos to the Egyptian frontier—that is to say, between the following points: Latitude 37° 38', longitude 27° 2' east (Greenwich) and latitude 31° 20', longitude 34° 13' east (Greenwich).

The blockade is declared effective from August 25, 1915, at noon.

Neutral vessels can leave blockaded points until August 28, 1915, at noon.

The order has been given at the same time to the commanders of blockading forces to proceed immediately to the notification of the local authorities.

Notification, blockade of Bulgaria, October 16, 1915.¹

[Journ. Off., Oct. 18, 1915, p. 7482.]

On date of October 16, 1915, the commander in chief of the navy in the Mediterranean, acting by virtue of the powers conferred

¹ See British notification, *infra*, p. 136.

upon him by the Government of the Republic, declared in a state of blockade the coasts of Bulgaria on the Aegean Sea, from the Greek frontier to the Turkish frontier.

The blockade is declared effective from October 16, at 6 o'clock in the morning.

Friendly or neutral vessels may leave blockaded points until October 18, 1915, at 6 o'clock in the morning.

The order has been given at the same time to commanders of the blockading forces to proceed immediately to notification of the local authorities.

Notification, blockade of Cavalla, September 16, 1916.

[Journ. Off., Sept. 20, 1916, p. 8808.]

On September 16, 1916, the commander in chief of the navy on the Mediterranean, acting by virtue of the powers which have been conferred upon him by the Government of the Republic, has, in view of the state of war with Bulgaria and the occupation of Cavalla by the Bulgarian Army, declared in a state of blockade the coast of Macedonia from the mouth of the Strouma (40° 46' north latitude, 23° 53' east longitude, Greenwich) to the Greco-Bulgarian frontier (40° 51' north latitude, 24° 50' east longitude (Greenwich)).

The blockade is declared effective from September 16, 1916.

Neutral vessels can leave blockaded points until September 21, 1916, at 8 o'clock in the morning (West European time).

Notification of the said declaration has been addressed to the local authorities.

Notification, blockade of Greece, December 8, 1916.

[Journ. Off., Dec. 8, 1916, p. 10591.]

The Government of the French Republic, having agreed with its allies to declare a blockade of Greece, hereby gives notice of the conditions by which they will proceed.

The blockade is declared effective from December 8, 1916, at 8 o'clock in the morning.

The blockade extends to the coasts of Greece and comprises the islands of Eubee, Zarite, and Sainte-Maure from a point situated at 39° 20' north, 20° 20' east of Greenwich, to a point situated 39° 50' north, 22° 50' east of Greenwich, as well as the islands actually under the dependence or the occupation of the Royal Hellenic authorities.

Vessels of third powers finding themselves in blockaded ports can freely depart until December 10¹ at 8 o'clock in the morning.

¹ In the announcement in the London Times, Dec. 9, 1915, p. 7, d, this reads "December 12."

94 *French Attitude on German War Zones.*

The order has been given to the commander in chief of the blockading forces to proceed immediately to notify the local authorities of the present declaration.

PARIS, December 7, 1916.

*Decree authorizing retaliatory measures against trade of Germany,
March 13, 1915.*

[Journ. Off., Mar. 16, 1915, p. 1388; Dalloz, Guerre de 1914, 3: 269.]

Report to the President of the French Republic.

MINISTRY FOR FOREIGN AFFAIRS,
Paris, March 12, 1915.

MR. PRESIDENT: The German Government has decreed certain measures which, in violation of the usages of war, are aimed at declaring the waters which encircle northern France and the United Kingdom a military zone, in which all Allied merchant vessels shall be destroyed without regard for the lives of the crew and the noncombatant passengers and in which neutral shipping will be exposed to the same dangers.

In a memorandum accompanying the publication of the aforesaid measures neutrals are warned not to embark sailors, passengers, or cargo on ships belonging to the Allies.

Such pretensions on the part of the enemy give to the Allied Governments the right to respond by preventing every kind of merchandise from reaching or leaving Germany. However, the Allied Governments never intend to follow their enemy in the cruel and barbarous methods of which he habitually makes use, and the measures to which they have been obliged to have recourse shall not in their intention carry any risk for neutral vessels or for the lives of neutrals or noncombatants and shall be applied in strict conformity with the laws of humanity.

It is under these conditions and in this spirit that the joint declaration hereto annexed, notified to the Allied Governments on March 1, 1915,¹ has been conceived, and in which are drafted the terms of the decree which we have the honor to submit for your high approval.

We beg you to accept, Mr. President, the assurances of our profound respect.

Minister of Finance:

A. RIBOT.

Minister of Marine:

VICTOR AUGAGNEUR.

Minister for Foreign Affairs:

DELCASSÉ.

Minister of War:

A. MILLERAND.

¹ Infra, p. 137.

The President of the French Republic, on the part of the minister for foreign affairs, the minister of finance, the minister of war, and the minister of marine, decrees:

ARTICLE 1. All goods belonging to subjects of the German Empire, either shipped from or to Germany and having taken the sea since the promulgation of this present decree shall be stopped by the cruisers of the Republic.

All territory occupied by the German armed forces is assimilated to German territory.

ART. 2. All articles and goods either of German brand or manufacture or made in Germany, the products of German soil, as well as all articles and merchandise, whatsoever the point of departure of which, either direct or in transit, is in German territory, shall be considered as merchandise coming from Germany.

However, the present stipulation shall not apply to articles or merchandise which the subject of a neutral country may prove to have brought lawfully into a neutral country prior to the promulgation of the present decree or of which he may prove that he was in regular and lawful possession prior to the said promulgation.

ART. 3. All articles and merchandise whatsoever shipped either direct or in transit to Germany or to a country close to Germany, whenever the documents accompanying said articles or merchandise shall not show proof that their ultimate and true destination is in a neutral country, shall be considered as merchandise destined for Germany.

ART. 4. Neutral vessels on board of which shall be found merchandise falling within article 1 shall be conducted to a French or allied port. In the event of the vessel being brought to a French port the merchandise shall be unloaded unless otherwise provided as hereinafter stipulated. The vessel shall afterward be liberated.

All merchandise recognized as belonging to German subjects shall be placed under sequestration or sold, the proceeds thereof being deposited at the *caisse des dépôts et consignations* until the conclusion of peace to the account of the persons entitled thereto.

All merchandise belonging to neutrals and coming from Germany shall be held at the disposal of their neutral owners to be re-shipped to their port of departure within a delay which shall be determined.¹ After expiration of the said delay the said merchandise shall be subject to requisition or sold for the account and at the expense and risk of the owners.

Merchandise belonging to neutrals and bound for Germany shall be held at the disposal of the neutral owners, either to be returned

¹ "The Department of the Marine gives notice to those interested that the delay provided in Article 4, paragraphs 3 and 4, of the decree of Mar. 13, 1915, has been fixed at three months, from the time of insertion in the *Journal Officiel* of the notice of deroutement of the vessel.

"After this delay the merchandise will be disposed of as provided in the above-mentioned decree." (*Journ. Off.*, May 28, 1915, p. 3401.)

to the port of departure or to be sent to any other French, allied, or neutral port as may be authorized. In either case a period of time shall be fixed, at the expiration of which the merchandise shall be subject to requisition or sold for the account and at the expense and risk of the owner.

ART. 5. In exceptional cases, at the suggestion of the minister for foreign affairs, approved by the minister of war, the minister of marine may grant authorization for the passage of a specified cargo or a certain special category of merchandise destined to or coming from a specified neutral country.

Goods coming from Germany shall only be authorized to pass when they shall have been loaded in a neutral port after having paid the customs duty of the neutral country.

ART. 6. Nothing in this decree shall be deemed to affect the provisions decreed regarding merchandise declared absolute or conditional contraband of war.

ART. 7. The question as to whether the captured merchandise belongs to German subjects or is bound to or from Germany shall be decided before a prize court as hereinafter provided.

Within two days from the arrival of the captured ship, the ship's papers and other documents justifying the capture shall be sent by the prize service of the port through the minister of marine to the commissioner representing the Government at the prize court, who will immediately notify the president of the said court.

The president shall convene the court which shall declare sentence upon the said documents within eight days of the registration of the dossier at the court. Notwithstanding the said delay, the court shall always be entitled to order any investigation which may appear to it advisable and to grant, if necessary, to the parties who may so demand sufficient time to justify their rights.

The decision of the prize court shall be transmitted to the minister of marine, who shall be directed to execute same.

ART. 8. The minister for foreign affairs, the minister of finance, the minister of war, and the minister of marine shall be directed, in so far as they are respectively concerned, to execute the present decree.

Done at Paris March 13, 1915.

R. POINCARÉ.

By the President of the Republic.

The minister for foreign affairs,

DELCASSÉ.

The minister of finance,

A. RIBOT.

The minister of war,

A. MILLERAND,

The minister of marine,

VICTOR AUGAGNEUR.

MISCELLANEOUS WAR MEASURES.

Notification of mined area October 6, 1914.

MINISTRY FOR FOREIGN AFFAIRS,
French Republic.

The minister for foreign affairs has the honor to transmit to his excellency the ambassador of the United States, the accompanying notification made in conformity with the stipulation of article 3, paragraph 2 of the Eighth Convention of The Hague, 1907, relative to the use of submarine mines.

BORDEAUX, *October 6, 1914.*

NOTICE.

[Published in the Journal Officiel, official part.]

Automatic mines having been sown in the Adriatic sea by the Austro-Hungarian Navy, the French naval forces have been obliged to resort to similar measures in the said sea.

However, in order to avoid that inoffensive neutral ships should suffer harm such as has been unjustly caused by the Austro-Hungarian mines, the mines laid down by the French Navy are in conformity with the provisions stipulated by the Eighth Convention of The Hague, 1907.

The zone that is dangerous to navigation, comprises the territorial waters of the Austro-Hungarian Kingdom and the channels between the islands along the coast of Dalmatia.

Notice is hereby given to all whom it may concern, in conformity with article 3, paragraph 2 of the aforesaid convention.

Approved:

The Minister for Marine.

VICTOR AUGAGNEUR.

Attest:

The Vice Admiral Chief of Staff.

PIVET.

Memorandum relating to the sojourn of belligerent submarines in neutral waters, August 21, 1916.¹[Memorandum.]²FRENCH EMBASSY,
Washington, August 21, 1916.

In the presence of the development of submarine navigation, under existing circumstances and by reason of what may unfortunately be expected from enemy submarines, the allied Governments deem it necessary, in order to protect their belligerent rights and the freedom of commercial navigation, as well as to remove chances of conflict, to exhort the neutral Governments, if they have not already done so, to take efficacious measures tending to prevent belligerent submarines, regardless of their use, to avail themselves of neutral waters, roadsteads, and harbors.

In the case of submarines the application of the principles of international law offers features that are as peculiar as they are novel, by reason, on the one hand, of the facility possessed by such craft to navigate and sojourn in the seas while submerged and thus

¹ Identic memoranda were received from the embassies of Great Britain, Russia, and Japan, and on Sept. 2, 1916, from the Italian Embassy, and on Sept. 11, 1916, from the Portuguese Legation.

² *Memorandum of the United States to the French Embassy.*

[Same to the Embassies of Great Britain, Russia, and Japan, and, mutatis mutandis, to the Italian Embassy, Sept. 8, 1916, and to the Portuguese Legation, Sept. 13, 1916.]

DEPARTMENT OF STATE,
Washington, August 31, 1916.

The Government of the United States has received the identic memoranda of the Governments of France, Great Britain, Russia, and Japan in which neutral Governments are exhorted "to take efficacious measures tending to prevent belligerent submarines, regardless of their use, to avail themselves of neutral waters, roadsteads, and harbors." These Governments point out the facility possessed by such craft to avoid supervision or surveillance or determination of their national character and their power "to do injury that is inherent in their very nature," as well as the "additional facilities" afforded by having at their disposal places where they can rest and replenish their supplies. Apparently on these grounds the allied Governments hold that "Submarine vessels must be excluded from the benefit of the rules heretofore accepted under international law regarding the admission and sojourn of war and merchant vessels in neutral waters, roadsteads, or harbors; any submarine of a belligerent that once enters a neutral harbor must be held there," and, therefore, the allied Governments "warn neutral powers of the great danger to neutral submarines attending the navigation of waters visited by the submarines of belligerents."

In reply the Government of the United States must express its surprise that there appears to be an endeavor of the allied powers to determine the

escape any supervision or surveillance, and, on the other hand, of the impossibility to identify them and determine their national character, whether neutral or belligerent, combatant or innocent, and to put out of consideration the power to do injury that is inherent in their very nature.

It may be said, lastly, that any submarine war vessel far away from its base, having at its disposal a place where it can rest and replenish its supplies, is afforded, by mere rest obtained, so many additional facilities that the advantages it derives therefrom turn that place into a veritable basis of naval operations.

In view of the present condition of things the allied Governments hold that—

Submarine vessels must be excluded from the benefit of the rules heretofore accepted in international law regarding the admission and sojourn of war and merchant vessels in the neutral waters, roadsteads, and harbors; any submarine of the belligerents that once enters a neutral harbor must be held there.

The allied Governments take this opportunity to warn the neutral Powers of the great danger to neutral submarines attending the navigation of waters visited by the submarines of belligerents.

rule of action governing what they regard as a "novel situation" in respect to the use of submarines in time of war and to enforce acceptance of that rule, at least in part, by warning neutral powers of the great danger to their submarines in waters that may be visited by belligerent submarines. In the opinion of the Government of the United States the allied powers have not set forth any circumstances, nor is the Government of the United States at present aware of any circumstances, concerning the use of war or merchant submarines which would render the existing rules of international law inapplicable to them. In view of this fact and of the notice and warning of the allied powers announced in their memoranda under acknowledgement it is incumbent upon the Government of the United States to notify the Governments of France, Great Britain, Russia, and Japan that, so far as the treatment of either war or merchant submarines in American waters is concerned, the Government of the United States reserves its liberty of action in all respects and will treat such vessels as, in its opinion, becomes the action of a power which may be said to have taken the first steps toward establishing the principles of neutrality and which for over a century has maintained those principles in the traditional spirit and with the high sense of impartiality in which they were conceived.

In order, however, that there should be no misunderstanding as to the attitude of the United States, the Government of the United States announces to the allied powers that it holds it to be the duty of belligerent powers to distinguish between submarines of neutral and belligerent nationality, and that responsibility for any conflict that may arise between belligerent warships and neutral submarines on account of the neglect of a belligerent to so distinguish between these classes of submarines must rest entirely upon the negligent power.

GERMANY.**WAR ULTIMATA AND DECLARATIONS.***Ultimatum to Russia, July 31, 1914.*

[German White Book.]

Annex 24.—Telegram of the Imperial German Chancellor to the Imperial German Ambassador in St. Petersburg.

JULY 31, 1914.

In spite of still pending mediatory negotiations, and although we ourselves have up to the present moment taken no measures for mobilization, Russia has mobilized her entire army and navy; in other words, mobilized against us also. By these Russian measures we have been obliged, for the safeguarding of the empire, to announce that danger of war threatens us, which does not yet mean mobilization. Mobilization, however, must follow unless Russia ceases within twelve hours all warlike measures against us and Austria-Hungary and gives us definite assurance thereof. Kindly communicate this at once to M. Sazonof and wire hour of its communication to him.

Declaration of War Against Russia, 7.10 p. m., August 1, 1914.¹

[German White Book, see also Russian Orange Paper, No. 76.]

Annex 26.—Telegram of the Imperial German Chancellor to the Imperial German Ambassador in St. Petersburg.

Important!

AUGUST 1, 1914.

In case the Russian Government gives no satisfactory answer to our demand, will your excellency, at 5 o'clock this afternoon (central European time), kindly hand to it the following declaration:

The Imperial Government has endeavored from the beginning of the crisis to bring it to a peaceful solution. In accordance with a wish expressed to him by His Majesty the Emperor of Russia, His Majesty the Emperor of Germany, in cooperation with England, applied himself to the accomplishment of a mediating role toward the cabinets of Vienna and St. Petersburg, when Russia, without awaiting the outcome, proceeded to mobilize her entire land and naval forces.

Following this threatening measure, occasioned by no military preparation on the part of Germany, the German Empire found itself confronted by a serious and imminent peril. If the Imperial Government had failed to meet this peril, it would have jeopardized

¹ "Note handed in by the ambassador of Germany at St. Petersburg on July 19 (Aug. 1), 1914, at 10 minutes past 7 in the evening." (Russian Orange Paper No. 76.)

the safety and even the existence of Germany. Consequently, the German Government was obliged to address the Government of the Emperor of all the Russias and insist upon the cessation of all these military measures. Russia having refused to accede to this demand, and having manifested by this refusal that her acts were directed against Germany, I have the honor, by order of my Government, to make known to your excellency the following:

His Majesty the Emperor, my august Sovereign, in the name of the Empire, takes up the defiance, and considers himself in a state of war against Russia.

I urgently ask that you wire the hour of arrival of these instructions, and of their carrying out, according to Russian time.

Kindly ask for your passports and hand over protection and business to the American Embassy.

Note Relating to Military Measures in Luxemburg, August 2, 1914.

[French Yellow Book.]

No. 133.—Note handed in by the German Ambassador.

PARIS, August 2, 1914.

The German ambassador has just been instructed, and hastens to inform the minister for foreign affairs, that the military measures taken by Germany in the Grand Duchy of Luxemburg do not constitute an act of hostility. They must be considered as purely preventive measures taken for the protection of the railways, which, under the treaties between Germany and the Grand Duchy of Luxemburg, are under German administration.

VON SCHOEN.

Ultimatum to Belgium August 2, 1914.

[Belgian Gray Book.]

No. 20.—Note presented by Herr von Below Saleske, German Minister at Brussels, to Monsieur Davignon, Belgian Minister for Foreign Affairs, Imperial German Legation in Belgium.

BRUSSELS, August 2, 1914.

(Very confidential.)

Reliable information has been received by the German Government to the effect that French forces intend to march on the line of the Meuse by Givet and Namur. This information leaves no doubt as to the intention of France to march through Belgian territory against Germany.

The German Government can not but fear that Belgium, in spite of the utmost good will, will be unable, without assistance, to repel so considerable a French invasion with sufficient prospect of success to afford an adequate guarantee against danger to Ger-

many. It is essential for the self-defense of Germany that she should anticipate any such hostile attack. The German Government would, however, feel the deepest regret if Belgium regarded as an act of hostility against herself the fact that the measures of Germany's opponents force Germany, for her own protection, to enter Belgian territory.

In order to exclude any possibility of misunderstanding the German Government make the following declaration:

1. Germany has in view no act of hostility against Belgium. In the event of Belgium being prepared in the coming war to maintain an attitude of friendly neutrality toward Germany the German Government bind themselves, at the conclusion of peace, to guarantee the possessions and independence of the Belgian Kingdom in full.

2. Germany undertakes, under the above-mentioned condition, to evacuate Belgian territory on the conclusion of peace.

3. If Belgium adopts a friendly attitude Germany is prepared, in cooperation with the Belgian authorities, to purchase all necessities for her troops against a cash payment, and to pay an indemnity for any damage that may have been caused by German troops.

4. Should Belgium oppose the German troops, and in particular should she throw difficulties in the way of their march by a resistance of the fortresses on the Meuse, or by destroying railways, roads, tunnels, or other similar works, Germany will, to her regret, be compelled to consider Belgium as an enemy.

In this event Germany can undertake no obligations toward Belgium, but the eventual adjustment of the relations between the two States must be left to the decision of arms.

The German Government, however, entertain the distinct hope that this eventuality will not occur, and that the Belgian Government will know how to take the necessary measures to prevent the occurrence of incidents such as those mentioned. In this case the friendly ties which bind the two neighboring States will grow stronger and more enduring.

Declaration, use of force in Belgium, August 4, 1914.

[Belgian Gray Book.]

No. 27. Herr von Below Saleske, German Minister, to Monsieur Davignon, Belgian Minister for Foreign Affairs.

(Translation. The original is in French.)

BRUSSELS, August 4, 1914 (6 a. m.).

SIR: In accordance with my instructions, I have the honor to inform your Excellency that in consequence of the refusal of the Belgian Government to entertain the well-intentioned proposals

German Declaration of War against France. 103

made to them by the German Government, the latter, to their deep regret, find themselves compelled to take—if necessary by force of arms—those measures of defense already foreshadowed as indispensable, in view of the menace of France.

VON BELOW.

Ultimatum to France, July 31, 1914.

[German White Book.]

Annex 25.—Telegram of the Imperial German Chancellor to the Imperial German Ambassador in Paris.

JULY 31, 1914.

Important!

In spite of our still pending mediatory action, and although we ourselves have adopted no steps toward mobilization, Russia has mobilized her entire army and navy, which means mobilization against us also. Thereupon we declared the existence of a threatening danger of war, which must be followed by mobilization, unless Russia within 12 hours ceases all warlike steps against us and Austria. Mobilization inevitably means war. Kindly ask the French Government whether it will remain neutral in a Russian-German war. Answer must come within 18 hours. Wire at once hour that inquiry is made. Act with the greatest possible dispatch.

Declaration of war against France, 6.45 p. m., August 3, 1914.

[French Yellow Book, Dalloz, Guerre de 1914, 1 : 26.]

No. 147.—Letter handed by the German ambassador to M. René Viviani, president of the council, minister for foreign affairs, during his farewell audience, August 3, 1914, at 6.45 p. m.

M. LE PRÉSIDENT :

The German administrative and military authorities have established a certain number of flagrantly hostile acts committed on German territory by French military aviators. Several of these have openly violated the neutrality of Belgium by flying over the territory of that country; one has attempted to destroy buildings near Wesel; others have been seen in the district of the Eifel; one has thrown bombs on the railway near Carlsruhe and Nuremberg.

I am instructed, and I have the honor to inform your excellency that in the presence of these acts of aggression the German Empire considers itself in a state of war with France in consequence of the acts of this latter power.

At the same time I have the honor to bring to the knowledge of your excellency that the German authorities will detain French mercantile vessels in German ports, but they will release them, if within 48 hours they are assured of complete reciprocity.

My diplomatic mission having thus come to an end, it only remains for me to request your excellency to be good enough to furnish me with my passports, and to take the steps you consider suitable to assure my return to Germany, with the staff of the embassy, as well as with the staff of the Bavarian Legation and of the German consulate general in Paris.

Be good enough, M. le Président, to receive the assurances of my deepest respect.

SCHOEN.

Note breaking diplomatic relations with Japan, August 23, 1914.

[Austro-Hungarian Red Book.]

LXVIII.—Prince Hohenlohe to Count Berchtold.

[Telegram.]

BERLIN, August 23, 1914.

The Japanese minister here has been informed by the foreign office that the German Imperial Government had no intention to reply to the Japanese ultimatum. The German Government has instructed its ambassador in Tokyo to leave Japan upon the expiration of the time limit fixed by Japan for noon to-day. Simultaneously the Japanese chargé d'affaires is to be handed his passports.

At noon the chargé d'affaires received his passports; he will leave Berlin to-morrow morning with the staff of the embassy.

Declaration of war against Portugal, 6 p. m., March 9, 1916.¹

[Rev. Gén., Doc. 23:171.]

Since the outbreak of the war the Portuguese Government, by actions which are in conflict with her neutrality, has supported the enemies of the German Empire. The British troops have been allowed four times to march through Mozambique. The coaling of German ships was forbidden. The extensive sojourn of British war vessels in Portuguese ports, which is also in conflict with the laws of neutrality, was allowed; Great Britain was also permitted to use Madeira as a point d'appui for her fleet. Guns and materials of war were sold to Entente Powers, and even a destroyer was sold to Great Britain.

¹ "The Government of the French Republic has been informed by the minister of Portugal at Paris that on the date of March 9, 1916, at 6 o'clock p. m., the Imperial German Government remitted by its minister at Lisbon to the Government of the Portuguese Republic a note by which it declared that it considered itself in a state of war with Portugal." (*Journal Officiel*, March 13, 1916, p. 2001.)

Austria-Hungary is reported to have declared war upon Portugal March 15, 1916. (Am. Year Book, 1916, p. 815.)

German cables were interrupted, the archives of the Imperial vice consul in Mossamedes were seized, and expeditions sent to Africa were described as directed against Germany. At the frontier of German Southwest Africa and Angola the German district commander and two officers and men were tricked into visiting Naulila, and on October 19, 1915, were declared to be under arrest. When they tried to escape arrest they were shot at, and forcibly taken prisoners.

During the course of the war the Portuguese press and Parliament have been more or less openly encouraged by the Portuguese Government to indulge in gross insults on the German people. We repeatedly protested against these incidents in every individual case, and made most serious representations. We held the Portuguese Government responsible for all consequences, but no remedy was afforded us.

The Imperial Government, in forbearing appreciation of Portugal's difficult position, has hitherto avoided taking more serious steps in connection with the attitude of the Portuguese Government. On February 23 the German vessels in Portuguese ports were seized and occupied by the military. On our protest, the Portuguese Government declined to go back from these forcible measures, and tried to justify them by illegal (*gesetzwidrig*) interpretations of existing treaties. These interpretations appeared to the German Government to be empty evasions. It is a fact that the Portuguese Government seized a number of German vessels out of proportion to what was necessary for meeting the shortage of Portugal's tonnage, and that the Government did not attempt even once to come to an understanding with the German shipowners, either directly or through the mediation of the German Government. The whole procedure of the Portuguese Government, therefore, represents a serious violation of existing laws and treaties.

The Portuguese Government by this procedure openly showed that it regards itself as the vassal of Great Britain, which subordinates all other considerations to British interests and wishes. Furthermore, the Portuguese Government effected the seizure of the vessels in a manner in which the intention to provoke Germany can not fail to be seen; the German flag was hauled down in the German vessels, and the Portuguese flag with a war pennon was hoisted, and the flagship of the admiral fired a salute.

The Imperial Government sees itself obliged to draw the necessary conclusions from the attitude of the Portuguese Government. It regards itself from now onward in a state of war with the Portuguese Government.

Statement of declaration of war against Roumania, August 28, 1916.

[Rev. Gen., Doc., 23:199, London Times, Aug. 29, 1916, p. 7e.]

After Roumania, as already reported, disgracefully broke treaties concluded with Austria-Hungary and Germany, she declared war Sunday against our ally. The Imperial German minister to Roumania has received instructions to request his passports and to declare to the Roumanian Government that Germany now likewise considers herself at war with Roumania.

MINED AREAS.*Statement in reference to mine laying, August 7, 1914.*

Ambassador Gerard to the Secretary of State.

[Telegram—Paraphrase.]

AMERICAN EMBASSY,

Berlin, August 7, 1914.

Mr. Gerard reports that he is informed by the German foreign office that German ports are strewn with mines and it is requested that timely warning be given shippers against navigating in ports which foreign forces might use as bases.

Note relating to navigation near the German coast, November 14, 1914.

The foreign office has the honor to inform the Embassy of the United States of America in reply to the note verbale of 12th instant, F. O. No. 1078, that the following are the material regulations, governing navigation in the German Bay of the North Sea:

1. Steamships are permitted to make for the German coast, to enter or leave the mouths of rivers only from sunrise to sunset, and in clear weather. Ships attempting to point for the coast in the dark, in foggy or thick weather, run the risk of being shot at.

2. All commercial steamers bound for the Elder, Elbe, Weser, and Jade must first point for the Listertief Buoy; those bound for the Ems should make directly for its mouth.

3. In the interest of the safety of the ships, a pilot is obligatory from the Listertief Buoy.

4. If ships can not pilot, on account of bad weather or for other reasons, they must either anchor or put out to sea again.

The approximate location of the Listertief Buoy is 55° 3 3-4' north, 8° 17½' east.

For the rest reference made to issue No. 59 of the "Nachrichten für Seefahrer" of 4th instant, pages 1006 and 1007, two copies of which are attached.¹

¹ Not printed.

German War Zone Proclamation, Feb. 4, 1915. 107

American shipping interests can obtain any further information from the "Nachrichten für Seefahrer" which is accessible to them.

BERLIN, November 14, 1914.

Notification of mined areas, April 8, 1917.

Minister Egan to the Secretary of State.

[Telegram.]

AMERICAN LEGATION,
Copenhagen, April 8, 1917.

On August 8, 1914, foreign office here published the following notice to mariners: The German Government has issued the following warning to mariners: Vessels are cautioned against approaching places from which attacks from hostile fleets may be expected or harbors and roadsteads from which embarkation of troops may be made, as mines may have been sown in such places.

EGAN.

WAR ZONES.

Proclamation of war zone, February 4, 1915.

PROCLAMATION.

1. The waters surrounding Great Britain and Ireland, including the whole English Channel, are hereby declared to be war zone. On and after the 18th of February, 1915, every enemy merchant ship found in the said war zone will be destroyed without its being always possible to avert the danger threatening the crews and passengers on that account.

2. Even neutral ships are exposed to danger in the war zone as, in view of the misuse of neutral flags ordered on January 31 by the British Government and of the accidents of naval war, it can not always be avoided to strike even neutral ships in attacks that are directed at enemy ships.

3. Northward navigation around the Shetland Islands,¹ in the eastern waters of the North Sea, and in a strip of not less than 30 miles width along the Netherland coast is in no danger.

VON POHL,

Chief of the Admiral Staff of the Navy.

BERLIN, February 4, 1915.

¹ NOTE VERBALE.—With reference to its note verbale of the 4th instant the foreign office has the honor to inform the embassy of the United States of America, in order to avoid any doubts as to the northward extent of the war area defined in the proclamation of the chief of the admiralty staff of the same day, that the waters surrounding the Orkneys and

Memorial of the Imperial German Government respecting retaliatory measures rendered necessary by the means employed by England contrary to international law in intercepting neutral maritime trade with Germany, February 4, 1915.

Since the commencement of the present war Great Britain's conduct of commercial warfare against Germany has been a mockery of all the principles of the law of nations. While the British Government have, by several orders, declared that their naval forces should be guided by the stipulations of the Declaration of London they have, in reality, repudiated this declaration in the most essential points, notwithstanding the fact that their own delegates at the Maritime Conference of London acknowledged its acts as forming part of existing international law. The British Government have placed a number of articles on the contraband list which are not at all, or only very indirectly, capable of use in warfare and, consequently, can not be treated as contraband either under the Declaration of London or under the generally acknowledged rules of international law. In addition, they have, in fact obliterated the distinction between absolute and conditional contraband by confiscating all articles of conditional contraband destined for Germany, whatever may be the port where these articles are to be unloaded, and without regard to whether they are destined for uses of war or peace. They have not even hesitated to violate the Declaration of Paris, since their naval forces have captured on neutral ships German property which was not contraband of war. Furthermore, they have gone further than their own orders respecting the Declaration of London and caused numerous German subjects capable of bearing arms to be taken from neutral ships and made prisoners of war. Finally, they have declared the North Sea in its whole extent to be the seat of war, thereby rendering difficult and extremely dangerous, if not impossible, all navigation on the high seas between Scotland and Norway, so that they have, in a way, established a blockade of neutral coasts and ports, which is contrary to the elementary principles of generally accepted international law. Clearly all these measures are part of a plan to strike not only the German military operations, but also the economic system of Germany, and in the end to deliver the whole German people to reduction by famine by intercepting legitimate neutral commerce by methods contrary to international law.

the Shetlands belong to the war area, but that navigation on both sides of the Faroe Isles is not endangered.

The foreign office begs the embassy of the United States of America to be good enough to inform its Government of the above by cable and to notify the Governments of Great Britain, Japan, and Servia accordingly.
Berlin, February 28, 1915.

TO THE EMBASSY OF THE UNITED STATES OF AMERICA.

The neutral powers have in the main acquiesced in the measures of the British Government; in particular they have not been successful in securing the release by the British Government of the German subjects and German merchandise illegally taken from their vessels. To a certain extent they have even contributed toward the execution of the measures adopted by England in defiance of the principle of the freedom of the seas by prohibiting the export and transit of goods destined for peaceable purposes in Germany, thus evidently yielding to pressure by England. The German Government have in vain called the attention of the neutral powers to the fact that Germany must seriously question whether it can any longer adhere to the stipulations of the declaration of London, hitherto strictly observed by it, in case England continues to adhere to its practice, and the neutral powers persist in looking with indulgence upon all these violations of neutrality to the detriment of Germany. Great Britain invokes the vital interest of the British Empire which are at stake in justification of its violations of the law of nations, and the neutral powers appear to be satisfied with theoretical protests, thus actually admitting the vital interests of a belligerent as a sufficient excuse for methods of waging war of whatever description.

The time has come for Germany also to invoke such vital interests. It therefore finds itself under the necessity, to its regret, of taking military measures against England in retaliation of the practice followed by England. Just as England declared the whole North Sea between Scotland and Norway to be comprised within the seat of war, so does Germany now declare the waters surrounding Great Britain and Ireland, including the whole English Channel to be comprised within the seat of war, and will prevent by all the military means at its disposal all navigation by the enemy in those waters. To this end it will endeavor to destroy, after February 18 next, any merchant vessels of the enemy which present themselves at the seat of war above indicated, although it may not always be possible to avert the dangers which may menace persons and merchandise. Neutral powers are accordingly forewarned not to continue to entrust their crews, passengers, or merchandise to such vessels. Their attention is furthermore called to the fact that it is of urgency to recommend to their own vessels to steer clear of these waters. It is true that the German Navy has received instructions to abstain from all violence against neutral vessels recognizable as such; but in view of the hazards of war, and of the misuse of the neutral flag ordered by the British Government, it will not always be possible to prevent a neutral vessel from becoming the victim of an attack intended to be directed against a vessel of the enemy. It is expressly declared that navigation in the waters north of the Shetland Islands is outside the danger zone, as well as navigation in the eastern part of the

North Sea and in a zone 30 marine miles wide along the Dutch coast.

The German Government announces this measure at a time permitting enemy and neutral ships to make the necessary arrangements to reach the ports situated at the seat of war. They hope that the neutral powers will accord consideration to the vital interests of Germany equally with those of England, and will on their part assist in keeping their subjects and their goods far from the seat of war; the more so since they likewise have a great interest in seeing the termination at an early day of the war now ravaging.

Notice in reference to war zone, April 22, 1915.

NOTICE.

Travelers intending to embark on the Atlantic voyage are reminded that a state of war exists between Germany and her allies and Great Britain and her allies; that the zone of war includes the waters adjacent the British Isles; that, in accordance with formal notice given by the Imperial German Government, vessels flying the flag of Great Britain, or of any of her allies, are liable to destruction in those waters, and that travelers sailing in the war zone on ships of Great Britain or her allies do so at their own risk.

IMPERIAL GERMAN EMBASSY.

Declaration of war zone, January 31, 1917.

From February 1, 1917, within barred zones around Great Britain, France, Italy, and in the eastern Mediterranean, as outlined in the following, all sea traffic forthwith will be opposed. Such barred zones are:

In the North Sea, the district around England and France, which is limited by a line 20 nautical miles; the district along the Dutch coast as far as the Terschelling Lightship, the degree of longitude of the Terschelling Lightship to Udsir; a line from there across the point 62° north latitude, 5° longitude, westward along 62° to a point 3 nautical miles south of the south point of the Faroe Islands, from there across the point 62° north, 10° west, to 61° north, 15° west; then 57° north, 20° west, to 47° north, 20° west; further, to 43° north, 15° west; then on degree latitude 43° north to the point 20 nautical miles from Cape Finisterre and 20 nautical miles distance along the Spanish north coast as far as the French frontier.

Concerning the south, in the Mediterranean: For neutral shipping there remains open the sea district west of a line from Pt. de les Paquett to 38° 20' north and 6° east, as well as north and west of a zone 60 sea miles broad along the North African coast, beginning on (2°) west longitude.

In order to connect this sea district with Greece, the zone leads 20 sea miles in width north and east, following line: 38° north and 6° east, 38° north and 10° east, 37° north and 11° 30' east, to 34° north and 11° 30' east to 34° north and 22° 30' east. From there it leads to a zone 20 sea miles broad west of 22° 30' east longitude into Greek territorial waters.

Neutral ships plying within the barred zones do so at their own risk. Although precautions are being taken to spare neutral ships which on February 1 are on the way to ports in the barred zone, during an appropriate delay, yet it is urgently to be advised that they should be warned and directed to other routes by all means available.

Neutral ships lying in ports of the barred zones can with the same safety abandon the barred zones if they sail before February 5 and take the the shortest route into the open district.

The instructions given to the commanders of German submarines provide for a sufficiently long period during which the safety of passengers on unarmed enemy passenger ships is guaranteed. Americans en route to the blockaded zone on enemy freight steamers are not endangered, as the enemy shipping firms can prevent such ships in time from entering the zone.

Traffic of regular American passenger steamers can go on unmolested if—

A. Falmouth is taken as the port of destination; and if,

B. On the going and return journey the Scilly Islands, as well as the point 50° north, 20° west, be steered on. Along this route no German mines will be laid.

C. If steamers on this journey bear the following special signals, which only they will be permitted to display in American ports: A coating of paint on the ship's hull and the superstructure in vertical stripes 3 meters broad, alternating white and red; on every mast a large flag checkered white and red, on the stern the American national flag; during darkness the national flag and the coat of paint to be as easily recognizable as possible from a distance; and the ships must be completely and brightly illuminated.

D. If only one steamer runs each week in each direction arriving at Falmouth on Sundays, leaving Falmouth on Wednesdays.

E. If guarantees and assurances are given by the American Government that these steamers carry no contraband (according to the German list of contraband).

Memorandum relating to war zone declaration January 31, 1917.

After bluntly refusing Germany's peace offer, the entente powers stated in their note addressed to the American Government that they are determined to continue the war in order to deprive Germany of German Provinces in the west and east, to destroy Austria-Hungary, and to annihilate Turkey. In waging war with such aims the entente allies are violating all rules of international law,

as they prevent the legitimate trade of neutrals with the central powers, and of the neutrals among themselves.

Germany has so far not made unrestricted use of the weapon which she possesses in her submarines. Since the entente powers, however, have made it impossible to come to an understanding based upon equality of rights of all nations, as proposed by the central powers, and have instead declared only such a peace to be possible which shall be dictated by the entente allies and shall result in the destruction and the humiliation of the central powers, Germany is unable further to forego the full use of her submarines.

The Imperial Government, therefore, does not doubt that the Government of the United States will understand the situation thus forced upon Germany by the entente allies' brutal methods of war and by their determination to destroy the central powers, and that the Government of the United States will further realize that the now openly disclosed intentions of the entente allies gives back to Germany the freedom of action which she reserved in her note addressed to the Government of the United States on May 4, 1916.

Under these circumstances Germany will meet the illegal measures of her enemies by forcibly preventing, after February 1, 1917, in a zone around Great Britain, France, Italy, and in the eastern Mediterranean all navigation, that of neutrals included, from and to England and from and to France, etc. All ships met within that zone will be sunk.

The Imperial Government is confident that this measure will result in a speedy termination of the war and in the restoration of peace, which the Government of the United States has so much at heart. Like the Government of the United States, Germany and her allies had hoped to reach this goal by negotiations. Now that the war, through the fault of Germany's enemies, has to be continued, the Imperial Government feels sure that the Government of the United States will understand the necessity of adopting such measures as are destined to bring about a speedy end of the horrible and useless bloodshed.

The Imperial Government hopes all the more for such an understanding of her position, as the neutrals have under the pressure of the entente powers suffered great losses, being forced by them either to give up their entire trade or to limit it according to conditions arbitrarily determined by Germany's enemies in violation of international law.

Note relating to war zone declaration, January 31, 1917.

Count Bernstorff, German Ambassador, to Mr. Lansing, Secretary of State of the United States.

WASHINGTON, D. C., January 31, 1917.

MR. SECRETARY OF STATE:

Your excellency was good enough to transmit to the Imperial Government a copy of the message which the President of the

United States of America addressed to the Senate on the 22d instant. The Imperial Government has given it the earnest consideration which the President's statements deserve, inspired, as they are, by a deep sentiment of responsibility.

It is highly gratifying to the Imperial Government to ascertain that the main tendencies of this important statement correspond largely to the desires and principles professed by Germany. These principles especially include self-government and equality of rights for all nations. Germany would be sincerely glad if in recognition of this principle countries like Ireland and India, which do not enjoy the benefits of political independence, should now obtain their freedom.

The German people also repudiate all alliances which serve to force the countries into a competition for might and to involve them in a net of selfish intrigues. On the other hand, Germany will gladly cooperate in all efforts to prevent future wars.

The freedom of the seas, being a preliminary condition of the free existence of nations and the peaceful intercourse between them, as well as the open door for the commerce of all nations, has always formed part of the leading principles of Germany's political program. All the more the Imperial Government regrets that the attitude of her enemies, who are so entirely opposed to peace, makes it impossible for the world at present to bring about the realization of these lofty ideals.

Germany and her allies were ready to enter now into a discussion of peace, and had set down as basis the guarantee of existence, honor, and free development of their peoples. Their aims, as has been expressly stated in the note of December 12, 1916, were not directed toward the destruction or annihilation of their enemies and were, according to their conviction, perfectly compatible with the rights of the other nations. As to Belgium, for which such warm and cordial sympathy is felt in the United States, the chancellor had declared only a few weeks previously that its annexation had never formed part of Germany's intentions. The peace to be signed with Belgium was to provide for such conditions in that country, with which Germany desires to maintain friendly neighborly relations, that Belgium should not be used again by Germany's enemies for the purpose of instigating continuous hostile intrigues. Such precautionary measures are all the more necessary, as Germany's enemies have repeatedly stated, not only in speeches delivered by their leading men, but also in the statutes of the Economical Conference in Paris, that it is their intention not to treat Germany as an equal, even after peace has been restored, but to continue their hostile attitude, and especially to wage a systematical economic war against her.

The attempt of the four allied powers to bring about peace has failed, owing to the lust of conquest of their enemies, who desired

to dictate the conditions of peace. Under the pretense of following the principle of nationality our enemies have disclosed their real aims in this way, viz: To dismember and dishonor Germany, Austria-Hungary, Turkey, and Bulgaria. To the wish of reconciliation they oppose the will of destruction. They desire a fight to the bitter end.

A new situation has thus been created which forces Germany to new decisions. Since two years and a half England is using her naval power for a criminal attempt to force Germany into submission by starvation. In brutal contempt of international law the group of powers led by England does not only curtail the legitimate trade of their opponents, but they also, by ruthless pressure, compel neutral countries either to altogether forego every trade not agreeable to the entente powers or to limit it according to their arbitrary decrees.

The American Government knows the steps which have been taken to cause England and her allies to return to the rules of international law and to respect the freedom of the seas. The English Government, however, insists upon continuing its war of starvation, which does not at all affect the military power of its opponents, but compels women and children, the sick and the aged, to suffer for their country pains and privations which endanger the vitality of the nation. Thus British tyranny mercilessly increases the sufferings of the world, indifferent to the laws of humanity, indifferent to the protests of the neutrals whom they severely harm, indifferent even to the silent longing for peace among England's own allies. Each day of the terrible struggle causes new destruction, new sufferings. Each day shortening the war will, on both sides, preserve the lives of thousands of brave soldiers and be a benefit to mankind.

The Imperial Government could not justify before its own conscience, before the German people, and before history the neglect of any means destined to bring about the end of the war. Like the President of the United States, the Imperial Government had hoped to reach this goal by negotiations. After the attempts to come to an understanding with the entente powers have been answered by the latter with the announcement of an intensified continuation of the war, the Imperial Government—in order to serve the welfare of mankind in a higher sense and not to wrong its own people—is now compelled to continue the fight for existence, again forced upon it, with the full employment of all the weapons which are at its disposal.

Sincerely trusting that the people and the Government of the United States will understand the motives for this decision and its necessity, the Imperial Government hopes that the United States may view the new situation from the lofty heights of impartiality, and assist, on their part, to prevent further misery and unavoidable sacrifice of human life.

Inclosing two memoranda regarding the details of the contemplated military measures at sea, I remain, etc.,

J. BERNSTORFF.

Notification of war zone extension, March 23, 1917.

Foreign Governments have been informed that in future in the district of the northern Arctic Ocean east of the twenty-fourth degree of eastern longitude and south of the seventy-fifth degree of northern latitude, with the exception of Norwegian territorial waters, all ocean traffic forthwith will be opposed with all arms.

Neutral ships plying this district do so at their own risk, but provision is made that neutral ships that are already on voyage to ports in this barred zone or that desire to leave such ports will not be attacked without special warning until April 5.

Proclamation of war zone, November 22, 1917.¹

The hostile Governments are endeavoring by the intensification of the hunger blockade against neutral countries to force out to sea neutral cargo space, which is keeping in port, and to press

¹ Since the above was put in type the following has been published:

The Swiss Legation in Washington has transmitted to the Department of State the following communication from the German Government:

"Supplement to the German declaration of Jan. 31, 1917, concerning the blockaded zone.

"On and after Jan. 11, 1918, a new zone of sea is declared blockaded around the enemy point of support in Cape Verde Islands and Dakar and the adjoining coasts. That zone is bounded as follows:

"From the Cape Palmas lighthouse toward the point 10° 0' N., 29° 30' W., to the point 17° 0' N., 29° 30' W., to the point 20° 30' N., to the point 25° 30' W.; there the line follows the parallel 20° 30' latitude northeastwardly as far as the point where that parallel strikes the western coast of Africa.

"On the same date the zone blockaded around the Azores will be extended eastward as far as Madeira Island, which is used by our enemies as a point of support, so that the zone will be bounded as follows: From point 44° 0' N., 34° 0' W., to point 42° 30' N., 37° 0' W., to the point 37° 0' N., 37° 0' W., to point 30° 0' N., 27° 0' W., to the point 30° 0' N., 17° 0' W., to the point 34° 0' N., 12° 0' W., to the point 36° 45' N., 12° 0' W., and back to the starting point.

"Neutral vessels which at the time of publication of this declaration happen to be in ports within the new blockaded zone may yet leave those ports without coming under the military measures ordered for that zone if they can leave before or on Jan. 18, 1918, and take the shortest route to the free regions. Sufficient time has been allowed so that neutral vessels that may enter the new blockaded zone without having a knowledge of the present declaration or unable to gain such knowledge be spared.

"It is earnestly recommended that neutral shipping be cautioned and warned off the blockade zone."

Berlin, Jan. 5, 1918. (U. S. Official Bulletin, No. 221, p. 4.)

it into their service. As hostile shipping and shipping sailing in hostile interest are being supplemented by violent measures, the German Government in its struggle against Great Britain's domination of violence, which tramples under foot all rights, especially those of smaller nations, finds itself obliged to extend the field of operation of its submarines.

The zone is outlined thus:

From 39° north latitude and 17° west longitude to 44° north latitude and 27° 45' west longitude to 44° north latitude and 34° west longitude, to 42° 30' north latitude and 37° west longitude, to 57° north latitude and 37° west longitude, to 30° north latitude and 26° west longitude, to 34° north latitude and 20° west longitude, and thence back to the starting point.

GREAT BRITAIN.

WAR ULTIMATA AND DECLARATIONS.

Ultimatum to Germany, August 4, 1914.

[British White Paper.]

No. 159.—Sir Edward Grey to Sir E. Goschen.

[Telegraphic.]

LONDON, FOREIGN OFFICE, *August 4, 1914.*

We hear that Germany has addressed note to Belgian minister for foreign affairs stating that German Government will be compelled to carry out, if necessary by force of arms, the measures considered indispensable.

We are also informed that Belgian territory has been violated at Gemmenich.

In these circumstances, and in view of the fact that Germany declined to give the same assurance respecting Belgium as France gave last week in reply to our request made simultaneously at Berlin and Paris, we must repeat that request, and ask that a satisfactory reply to it and to my telegram of this morning¹ be received here by 12 o'clock to-night. If not, you are instructed to

¹ No. 153.—Sir Edward Grey to Sir E. Goschen.

[Telegraphic.]

LONDON, FOREIGN OFFICE, *August 4, 1914.*

The King of the Belgians has made an appeal to His Majesty the King for diplomatic intervention on behalf of Belgium in the following terms:

"Remembering the numerous proofs of Your Majesty's friendship and that of your predecessor, and the friendly attitude of England in 1870, and the proof of friendship you have just given us again, I make a supreme appeal to the diplomatic intervention of Your Majesty's Government to safeguard the integrity of Belgium."

His Majesty's Government are also informed that the German Government has delivered to the Belgian Government a note proposing friendly

Declaration against Austria, August 12, 1914. 117

ask for your passports, and to say that His Majesty's Government feel bound to take all steps in their power to uphold the neutrality of Belgium and the observance of a treaty to which Germany is as much a party as ourselves.

Proclamation of war against Germany, 11 p. m., August 4, 1914.¹

[London Times, Aug. 5, 1914, p. 6, a.]

The following statement was issued from the Foreign Office at 12.15 this morning (Aug 5):

Owing to the summary rejection by the German Government of the request made by His Majesty's Government for assurances that the neutrality of Belgium will be respected, His Majesty's ambassador at Berlin has received his passports and His Majesty's Government have declared to the German Government that a state of war exists between Great Britain and Germany as from 11 p. m. on August 4.

Declaration of war against Austria-Hungary, 12 p. m., August 12, 1914.²

[Austro-Hungarian Red Book.]

LXV.—Count Mensdorff to Count Berchtold.

[Telegram.]

LONDON, August 12, 1914.

I have just received from Sir Edward Grey the following communication:

By request of the French Government, which no longer is able to communicate directly with your Government, I wish to inform you of the following:

After having declared war on Servia and having thus initiated hostilities in Europe, the Austro-Hungarian Government has, without any provocation on the part of the Government of the French Republic, entered into a state of war with France.

neutrality entailing free passage through Belgian territory, and promising to maintain the independence and integrity of the kingdom and its possessions at the conclusion of peace, threatening in case of refusal to treat Belgium as an enemy. An answer was requested within 12 hours.

We also understand that Belgium has categorically refused this as a flagrant violation of the law of nations.

His Majesty's Government are bound to protest against this violation of a treaty to which Germany is a party in common with themselves, and must request an assurance that the demand made upon Belgium will not be proceeded with, and that her neutrality will be respected by Germany. You should ask for an immediate reply.

¹ A notification of similar effect was published in the London Gazette, Aug. 7, 1914, pp. 6161, 6181, and in the Manual of Emergency Legislation, p. 1.

² A notification of similar effect was published in the London Gazette, Aug. 14, 1914, pp. 6375, 6385, and in the Manual of Emergency Legislation, p. 1. See also Journ. Off., Aug. 14, 1914, p. 1448.

1st. After Germany had declared war successively upon Russia and France, the Austro-Hungarian Government has intervened in this conflict by declaring war on Russia, which was already in alliance with France.

2d. According to manifold and reliable information Austria has sent troops to the German border under circumstances which constitute a direct menace to France.

In view of these facts the French Government considers itself compelled to declare to the Austro-Hungarian Government that it will take all measures necessary to meet the actions and menaces of the latter.

Sir Edward Grey added:

A rupture with France having been brought about, the Government of His Britannic Majesty is obliged to proclaim a state of war between Great Britain and Austria-Hungary, to begin at midnight.

Note relating to the neutrality of Congo, August 17, 1914.

[Belgian Gray Book.]

No. 75.—Count de Lalaing, Belgian Minister at London, to Monsieur Davignon, Belgian Minister for Foreign Affairs.

[Translation.]

LONDON, August 17, 1914.

SIR: In reply to your dispatch of August 7, I have the honor to inform you that the British Government can not agree to the Belgian proposal to respect the neutrality of the belligerent powers in the conventional basin of the Congo.

German troops from German East Africa have already taken the offensive against the British Central African Protectorate. Furthermore, British troops have already attacked the German port of Dar-es-Salaam, where they have destroyed the wireless telegraphy station.

In these circumstances, the British Government, even if they were convinced from the political and strategical point of view of the utility of the Belgian proposal, would be unable to adopt it.

The British Government believes that the forces they are sending to Africa will be sufficient to overcome all opposition. They will take every step in their power to prevent any rising of the native population.

France is of the same opinion as Great Britain, on account of German activity which has been noticed near Bonar and Ekododo.

COUNT DE LALAING.

Notification of state of war with Turkey, November 4, 1914.

[British Parliamentary Papers, Misc. No. 13 (1914).]

No. 184.—Sir Edward Grey to Sir G. Buchanan, Sir F. Bertie, and Sir C. Greene.

FOREIGN OFFICE, November 4, 1914.

SIR: Tewfik Pasha called upon me this afternoon and informed me that he had received instructions to ask for his passports, as His Majesty's ambassador had already left Constantinople.

I expressed to Tewfik Pasha my personal regret at our official relations being terminated, as he had always acted in a loyal, straightforward, and friendly manner, and I had much appreciated the intercourse which we had had together during the past few years. I informed Tewfik Pasha that if his government wished that hostilities between the two countries should cease, the only chance was to dismiss the German naval and military missions, and especially the officers and crews of the *Goeben* and *Breslau*. So long as German officers remained in complete naval and military control at Constantinople, it was clear that they would continue to make war against us.

I am, &c.

E. GREY.

Proclamation of state of war with Turkey, November 5, 1914.¹

[London Gazette, November 5, 1914, pp. 8997, 9011; Manual of Emergency Legislation, Supp. No. 2, p. 1.]

Owing to hostile acts committed by Turkish forces under German officers, a state of war exists between Great Britain and Turkey as from to-day.

FOREIGN OFFICE, November 5, 1914.

Proclamation of breaking diplomatic relations with Bulgaria, October 13, 1915.

[London Times, Oct. 13, 1915, p. 9f.]

His Majesty's Government announce that the Bulgarian minister has been handed his passports and that diplomatic relations between Great Britain and Bulgaria have been broken off.

Proclamation of war against Bulgaria, 10 p. m., October 15, 1915.

[London Gazette, Oct. 16, 1915, pp. 10229, 10257.]

The King of the Bulgarians, an ally of the central powers, being now in a state of war with the King of Serbia, an ally of His Majesty King George V, His Majesty's government have notified the Swedish Minister in London, who is in charge of Bulgarian interests in this country, that a state of war exists between Great Britain and Bulgaria as from 10 p. m. to-night.

FOREIGN OFFICE, October 15, 1915.

¹ Following this proclamation, Cyprus was annexed by an order in council Nov. 5, 1914, and Egypt declared a protectorate by a notification of Dec. 18, 1914. (London Gazette, Nov. 5, 1914, Dec. 18, 1914; Manual of Emergency Legislation, Supp. 2, p. 76; Supp. 3, p. 371.)

MINED AREAS.

Memorandum reserving right to lay mine fields, August 11, 1914.

[Memorandum from the British Embassy.]

His Majesty's Government announce that the Bulgarian Minister of State has the honor to communicate to him the following telegram which he received last night from the foreign office:

The Germans are scattering contact mines indiscriminately about the North Sea in the open sea without regard to the consequences to merchantmen. Two days ago four large merchant ships were observed to pass within a mile of the mine field which sank H. M. S. *Amphion*. The waters of the North Sea must therefore be regarded as perilous in the last degree to merchant shipping of all nations. In view of the methods adopted by Germany the British Admiralty must hold themselves fully at liberty to adopt similar measures in self defense which must inevitably increase the dangers to navigation in the North Sea. But, before doing so, they think it right to issue this warning in order that merchant ships under neutral flags trading with North Sea ports should be turned back before entering the area of such exceptional danger.

BRITISH EMBASSY,

Washington, August 11, 1914.

*Memorandum relating to navigation through enemy mine fields
August 14, 1914.*

[Memorandum from the British Embassy.]

The British Embassy presents its compliments to the Department of State and, with reference to its memorandum of August 11 on the subject of contact mines in the North Sea, has the honor to communicate the following telegram received from His Majesty's Government:

German action and the measures it may entail are a source of grave danger to shipping. British Admiralty will, however, from time to time and subject to naval exigencies, try to indicate certain routes and channels for trade to pass to the Scheldt, and they do not wish in any degree to keep trade away from the English Channel.

Difficulties in the way of a guarantee for the Rhine, which is nearer to the center of war, are at present insuperable.

BRITISH EMBASSY,

Washington, August 14, 1914.

Memorandum relating to enemy mine fields, August 20, 1914.

[Memorandum from the British Embassy.]

The British ambassador presents his compliments to the Secretary of State and has the honor to communicate the text of a telegram received to-day from Sir E. Grey:

His Majesty's Government have learned that on or about August 26 an Iceland trawler is reported to have struck a mine 25 miles off the Tyne

and sunk, and at least one foreign newspaper has stated that the mine was English. Although the German action in laying mines has forced the Admiralty to reserve to themselves the right to do likewise, the statement already made by His Majesty's Government that no British mines have been laid remains absolutely true at this moment. The mines off the Tyne were laid 30 miles to seaward, not as part of any definite military operation nor by German ships of war, but by German trawlers, of which a considerable number appear to have been engaged on this work, the number of one such trawler actually seen to be doing this was A. E. 24 *Emden*. It would be well if the conduct of those who ordered her to perform this act were carefully considered by neutral powers.

BRITISH EMBASSY,

Washington, August 20, 1914.

Memorandum relating to enemy mine fields and importance that merchant vessels stop at British ports, August 23, 1914.

[Memorandum from the British Embassy.]

His Majesty's ambassador presents his compliments to the Secretary of State and has the honor to communicate to him the following telegram received from the foreign office yesterday summarizing the naval position of the war up to date:

The Admiralty wish to draw attention to their previous warning to neutrals of the danger of traversing the North Sea. The Germans are continuing their practice of laying mines indiscriminately upon the ordinary trade routes. These mines do not conform to the conditions of The Hague convention; they do not become harmless after a certain number of hours; they are not laid in connection with any definite military scheme, such as the closing of a military port or as a distinct operation against a fighting fleet, but appear to be scattered on the chance of catching individual British war or merchant vessels. In consequence of this policy neutral ships, no matter what their destination, are exposed to the gravest dangers. Two Danish vessels, the S. S. *Maryland* and the S. S. *Broberg*, have, within the last 24 hours, been destroyed by these deadly engines in the North Sea while traveling on the ordinary trade routes at a considerable distance from the British coast. In addition to this, it is reported that two Dutch steamers, clearing from Swedish ports, were yesterday blown up by German mines in the Baltic. In these circumstances the Admiralty desire to impress not only on British but on neutral shipping the vital importance of touching at British ports before entering the North Sea in order to ascertain, according to the latest information, the routes and channels which the Admiralty are keeping swept and along which these dangers to neutrals and merchantmen are reduced as far as possible. The Admiralty, while reserving to themselves the utmost liberty of retaliatory action against this new form of warfare, announce that they have not so far laid any mines during the present war and that they are endeavoring to keep the sea routes open for peaceful commerce.

BRITISH EMBASSY,

Washington, August 23, 1914.

*British Notification of Mined Area.**Notification of mined area, October 2, 1914.*[Memorandum from the British Embassy.¹]**Telegram from Sir Edward Grey to Sir Cecil Spring Rice, October 2, 1914.**

The German policy of mine laying combined with their submarine activities makes it necessary on military grounds for Admiralty to adopt countermeasures. His Majesty's Government have therefore authorized a mine-laying policy in certain areas and a system of mine fields has been established and is being developed upon a considerable scale. In order to reduce risks to noncombatants the Admiralty announce that it is dangerous henceforward for ships to cross area between latitude 51° 15' north and 51° 40' north and longitude 1° 35' east and 3° east. In this connection it must be remembered that the southern limit of the German mine field is latitude 52° north. Although these limits are assigned to the danger area, it must not be supposed that navigation is safe in any part of the southern waters of the North Sea. Instructions have been issued to His Majesty's ships to warn eastgoing vessels of the presence of this new mine field. You should inform government to which you are accredited without delay.

¹ The following notes modify the memorandum :

*British secretary of state for foreign affairs to United States Embassy,
May 2, 1916.*

The secretary of state for foreign affairs presents his compliments to the United States ambassador and has the honor to acquaint him for the information of the United States Government that it has been found necessary to extend the eastern limit of the danger area of the British mine field off the Belgian coast, notified on October 2, 1914, so as to include the waters south of latitude 51° 40' north, as far as the meridian of 3° 20' east, instead of 3° east as previously notified.

Sir E. Grey would remind Dr. Page that the danger area as notified on October 2, 1914, comprised that situated between latitude 51° 15' and 51° 40' north and longitude 1° 35' east and 3° east.

Mr. Page, United States ambassador to Great Britain, to the Secretary of State, May 29, 1916.

Respecting mine field off Belgian coast.

Foreign office informs me under date May 27 that the eastern limit of the danger area of the British mine field off the Belgian coast should be defined as the meridian of 3° 18' east instead of 3° 20' east as previously notified in error.

The following notices to mariners indicate the nature of the British mine-laying policy:

NOTICE TO MARINERS.¹

No. 1626 of the year 1914.

North Sea.

Caution with regard to mined areas.

In confirmation of the public notice, which has already been issued to the press, the following information is now promulgated.

Caution.—H. M. Government have authorized a mine-laying policy in certain areas, and a system of mine fields has been established and is being developed upon a considerable scale.

It is dangerous henceforth for ships to cross the area between the parallels of $51^{\circ} 15'$ and $51^{\circ} 40'$ north latitude and the meridians of $1^{\circ} 35'$ and $3^{\circ} 00'$ east longitude.

The Southern limit of the area in the North Sea in which mines have been laid by the enemy is, so far as is known at present, the fifty-second parallel of north latitude.

Remarks.—Although these limits are assigned to the dangerous areas, it must not be supposed that navigation is necessarily safe in any part of the southern waters of the North Sea.

Authority.—The lords commissioners of the Admiralty.

By command of their lordships,

J. F. PARRY, *Hydrographer.*

HYDROGRAPHIC DEPARTMENT, ADMIRALTY,

London, October 9, 1914.

NOTICE TO MARINERS.²

No. 618 of the year 1916.

North Sea.

Caution with regard to mined areas.

Former notifi. c.—No. 541 of 1916; hereby canceled.

Caution.—Mariners are warned that a system of mine fields has been established by H. M. Government upon a considerable scale. All vessels are strongly advised to obtain a London Trinity House pilot when navigating between Great Yarmouth and the English Channel.

It is dangerous for vessels to enter the following areas:

(a) The area enclosed between the parallels of latitude $51^{\circ} 15'$ north and $51^{\circ} 40'$ north, and the meridians of longitude $1^{\circ} 35'$ east and $3^{\circ} 18'$ east.

(b) The area enclosed between the parallels of latitude $51^{\circ} 40'$ north and 52° north, and the meridians of longitude $1^{\circ} 55'$ east and $2^{\circ} 32'$ east.

Remarks.—Although these limits are assigned to the danger areas, it must not be supposed that navigation is necessarily safe in any portion of the southern waters of the North Sea.

Note.—This notice is a repetition of notice No. 541, of 1916, with addition of the danger area specified in paragraph (b).

¹ London Gazette, Oct. 13, 1914, p. 8158. See also notices to mariners, No. 1706 of 1914, London Gazette, Nov. 6, 1914, p. 9034; No. 149 of 1915, London Gazette, Mar. 5, 1915, Man. Em. Leg., Supp. No. 3, 351.

² London Gazette, June 13, 1916, p. 5635.

(Notice No. 618 of 1916.)

Authority.—The lords commissioners of the Admiralty. (H. 3512/16.)
By command of their lordships,

J. F. PARRY, *Hydrographer.*

HYDROGRAPHIC DEPARTMENT, ADMIRALTY,
London, June 9, 1916.

NOTICE TO MARINERS.¹

No. 700 of the year 1915, August 16, 1915.

*Caution when approaching British ports.*PART I.—*Closing of ports.*

Former notice.—No. 274 of 1915, hereby canceled.

(1) My lords commissioners of the Admiralty, having taken into consideration [the fact]² that [local or other circumstances may arise in which] it may be necessary, [on account of periodical exercises, manoeuvres or otherwise], to forbid all entrance to certain ports of the Empire this is to give notice that on approaching the shores of the United Kingdom, or any of the ports or localities of the British Empire, referred to in Part III of this notice, a sharp lookout should be kept for the signals described in the following paragraph, and for the vessels mentioned in paragraph (5), Part II, of this notice, and the distinguishing and other signals made by them. In the event of such signals being displayed, the port or locality should be approached with great caution, as it may be apprehended that obstructions may exist.

(2) If entrance to a port is prohibited, three red vertical lights by night, or three red vertical balls by day, will be exhibited in some conspicuous position, in or near to its approach, which signals will also be shown by the vessels indicated in paragraph (5), Part II, of this notice.

If these signals are displayed, vessels must either proceed to the position marked "Examination anchorage" on the Admiralty charts and anchor there, or keep the sea.

(3) At all the ports or localities at home or abroad referred to in Part III of this notice, searchlights are occasionally exhibited for exercise.

Instructions have been given to avoid directing moveable searchlights during practice onto vessels under way, but mariners are warned that great care should be taken to keep a sharp lookout for the signals indicated in paragraph (2) above, when searchlights are observed to be working.

PART II.—*Examination service.*

(4) In [Under] certain circumstances it is also [may become] necessary to take special measures to examine vessels desiring to enter the ports or localities at home or abroad, referred to in Part III of this notice.

(5) In such case, vessels carrying the distinguishing flags or lights mentioned in paragraph (7) will be charged with the duty of examining ships which desire to enter the ports and of allotting positions in which they shall anchor. If Government vessels, or vessels belonging to the

¹ London Gazette, Aug. 20, 1915, p. 8304; Man. Em. Leg., Supp. No. 4, p. 158. With slight alteration this is a repetition of Notices to Mariners, Nos. 1 and 1805, of 1914, Nos. 1, 101, and 274, of 1915. (See Man. Em. Leg., Supp. No. 8, p. 357.)

² The words included in brackets [] appeared in the Notices of 1914 but were later omitted.

local port authority, are found patrolling in the offing, merchant vessels are advised to communicate with such vessels with a view to obtaining information as to the course on which they should approach the examination anchorage. Such communication will not be necessary in cases where the pilot on board has already received this information from the local authorities.

(6) As the institution of the examination service at any port will never be publicly advertised, especial care should be taken in approaching the ports, by day or night, to keep a sharp lookout for any vessel carrying the flags or lights mentioned in paragraph (7), and to be ready to "bring to" at once when hailed by her or warned by the firing of a gun or sound rocket.

In entering by night any of the ports mentioned in Part III, serious delay and risk will be avoided if four efficient all round lamps, two *red* and two *white*, are kept available for use.

(7) By day the distinguishing flags of the examination steamer will be a special flag (white and red horizontal surrounded by a blue border) and a blue ensign.

Also, three red vertical balls if the port is closed.

By night the steamer will carry—

(a) Three *red* vertical lights if the port is closed.

(b) Three *white* vertical lights if the port is open.

The above lights will be carried in addition to the ordinary navigation lights, and will show an unbroken light around the horizon.

(8) Masters are warned that, when approaching a British port where the examination service is in force, they must have the distinguishing signal of their vessel ready to hoist immediately the examination steamer makes the signal.¹

(9) Masters are warned that, before attempting to enter any of these ports when the examination service is in force, they must in their own interests strictly obey all instructions given to them by the examination steamer. In the absence of any instructions from the examination steamer they must proceed to the position marked "examination anchorage" on the Admiralty charts and anchor there, or keep the sea.

Whilst at anchor in the examination anchorage masters are warned that they must not lower any boats (except to avoid accident), communicate with the shore, work cables, move the ship, or allow anyone to leave the ship without permission from the examination steamer.

(10) In case of fog, masters [of vessels] are enjoined to use the utmost care, and the examination anchorage itself should be approached with caution.

(11) Merchant vessels when approaching ports are specially cautioned against making use of private signals of any description, either by day or night: the use of them will render a vessel liable to be fired on.

(12) The pilots attached to the ports will be acquainted with the regulations to be followed.

PART III. *Ports or localities referred to.*

United Kingdom.—Alderney, Barrow, Barry, Belfast, Berehaven, Blyth,² [Cardiff], Clyde, Cromarty, Dover, Falmouth, Firth of Forth, Guernsey, Hartlepool,² Harwich, Jersey, Lough Swilly, Milford Haven, Newhaven, Plymouth, Portland, Portsmouth, Queenstown, River Humber, River Mersey, River Tay, River Tees, River Thames, River Tyne, Scapa Flow, Sheerness, Sunderland.²

Canada.—Esquimalt, Halifax, Quebec.

Mediterranean.—Gibraltar, Malta.

¹ This section did not appear in the notices of 1914.

² Not in notices of 1914.

126 *British Notice of German Mine Laying.*

Indian Ocean.—Aden, Bombay, Calcutta, Colombo, Karachi, Madras, Mauritius, Rangoon.

China Sea.—Hongkong, Singapore.

Africa.—Durban, Sierra Leone, Simons Bay, Table Bay.

Australia.—Adelaide, Brisbane, Fremantle, Melbourne,¹ Newcastle, Sydney, Thursday Island.

Tasmania.—Hobart.

New Zealand.—Auckland, Otago, Port Lyttelton, Wellington.

West Indies.—Bermuda, Port Royal, Jamaica.

PART IV. *Sweeping operations.*

H. M. vessels are constantly engaged in sweeping operations off ports in the United Kingdom.

Whilst so engaged, they work in pairs, connected by a wire hawser, and are consequently hampered to a very considerable extent in their maneuvering powers.

With a view to indicating the nature of the work on which these vessels are engaged, they will show the following signals:

A black ball at the foremast head and a similar ball at the yardarm, or where it can best be seen, on that side on which it is dangerous for vessels to pass.

For the public safety, all other vessels, whether steamers or sailing craft, must keep out of the way of vessels flying this signal, and should especially remember that it is dangerous to *pass between* the vessels of a pair.

This notice is a repetition of Notice No. 274 of 1915, with the addition of Sunderland to the list of ports mentioned in Part III.

Authority.—The Lords Commissioners of the Admiralty.

By command of their lordships,

J. F. PARRY,
Hydrographer.

HYDROGRAPHIC DEPARTMENT, ADMIRALTY,
London, August 16, 1915.

Announcement of Mine-laying, November 3, 1914.

Announcement of the Admiralty.

[London Times, Nov. 3, 1914, page 6.]

During the last week the Germans have scattered mines in indiscriminately in the open sea on the main trade route from America to Liverpool via the north of Ireland. Peaceful merchant ships have already been blown up with loss of life by this agency. The White Star Liner *Olympic* escaped disaster by pure good luck. But for the warnings given by the British cruisers, other British and neutral merchant and passenger vessels would have been destroyed. These mines can not have been laid by any German ship of war. They have been laid by some merchant vessel flying a neutral flag which has come along the trade route as if for the purposes of peaceful commerce, and, while profiting to the full by the immunity enjoyed by neutral merchant ships, has wantonly and recklessly endangered the lives of all who travel on the sea, regardless of whether they are friend or foe, civilian or military in character.

¹ Not in notices of 1914.

Mine laying under a neutral flag and reconnaissance conducted by trawlers, hospital ships, and neutral vessels are the ordinary features of German naval warfare. In these circumstances, having regard to the great interests intrusted to the British Navy, to the safety of peaceful commerce on the high seas, and to the maintenance within the limits of international law of trade between neutral countries, the Admiralty feel it necessary to adopt exceptional measures appropriate to the novel conditions under which this war is being waged.

They therefore give notice that the whole of the North Sea must be considered a military area. Within this area merchant shipping of all kinds, traders of all countries, fishing craft, and all other vessels will be exposed to the gravest dangers from mines which it has been necessary to lay, and from warships searching vigilantly by night and day for suspicious craft. All merchant and fishing vessels of every description are hereby warned of the dangers they encounter by entering this area except in strict accordance with Admiralty directions. Every effort will be made to convey this warning to neutral countries and to vessels on the sea, but from the 5th of November onward the Admiralty announces that all ships passing a line drawn from the northern point of the Hebrides through the Faroe Islands to Iceland do so at their own peril.

Ships of all countries wishing to trade to and from Norway, the Baltic, Denmark, and Holland are advised to come, if inward bound, by the English Channel and the Straits of Dover. There they will be given sailing directions which will pass them safely, so far as Great Britain is concerned, up the east coast of England to Farn Island, whence a safe route will, if possible, be given to Lindesnaes Lighthouse. From this point they should turn north or south according to their destination, keeping as near the coast as possible. The converse applies to vessels outward bound. By strict adherence to these routes the commerce of all countries will be able to reach its destination in safety, so far as Great Britain is concerned, but any straying, even for a few miles from the course thus indicated, may be followed by fatal consequences.¹

Directions for Navigation in Mined Areas November 30, 1914.

Navigation in the North Sea and English Channel.

It is requested that shipowners on receiving these instructions will use their utmost endeavor to communicate them as confidentially as possible to the masters of their vessels, impressing upon them the necessity for preventing the information from reaching the enemy. These instructions should not be allowed to come into the hands of any persons who are not directly affected by them.

¹ The same in essentials in U. S. Hydrographic Office, Notice to Mariners, No. 48 (3948), 1914.

The previous Notice on Navigation in the North Sea (dated October 14, 1914) is canceled.

A. GENERAL INSTRUCTIONS.

1. Local naval or military authorities may, at any time when they consider it necessary, close a port during certain hours without previous warning.

2. Attention is called to the notice on the inside cover of all Admiralty Sailing Directions and their Supplements, and to the following Admiralty Notices to Mariners of 1914:

No. 1 of January '1.

No. 1528 of September 14; Thames approaches.

No. 1690 of October 28; River Thames.

No. 1706 of November 3; mined areas.

No. 1727 of November 7; River Mersey.

No. 1730 of November 10; Orkney Islands.

No. 1752 of November 16; East coast ports.

In the Notice to Mariners No. 1752 of November 16, the position of the pilotage station of the River Humber to be established by November 27 should read "7 miles E. S. E. (magnetic) from Spurn Point."

3. All lights may be extinguished and other aids to navigation removed or altered at any time without previous warning.

B. MINES.

4. So far as is known at present there are, in addition to the mine fields mentioned in Admiralty Notice to Mariners, No. 1752, of 1914, the following principal mined areas:

(a) Off the Tyne.

(b) Off Flamborough Head.

(c) Off Southwold (southern limit $51^{\circ} 54'$ north).

(d) British mine field within latitude $51^{\circ} 15'$ north and $51^{\circ} 40'$ north, longitude $1^{\circ} 35'$ east and 3° east.

C. SPECIAL INFORMATION AS TO ENGLISH CHANNEL AND DOWNS.

5. On and after December 10 lights, buoys, and fog signals in the English Channel and the Downs eastward of a line joining Selsey Bill and Cape Barfleur and south of the parallel $51^{\circ} 20'$ north will be liable to extinction or alteration without further notice.

Trinity House pilot stations will be established as follows by December 10:

St. Helens, Isle of Wight: Where ships proceeding up Channel can obtain pilots capable of piloting as far as Great Yarmouth.

Great Yarmouth: Where ships from the North Sea bound for the English Channel or intermediate ports can obtain pilots capable of piloting as far as the Isle of Wight.

Dover: Where ships from French channel ports, but no other, can obtain pilots for the North Sea.

The Sunk Light Vessel: Where ships crossing the North Sea between the parallels $51^{\circ} 40'$ north and $51^{\circ} 54'$ north, but no others, can obtain pilots for the English Channel.

Pilots also can be obtained at London for the Channel and the North Sea.

6. Both before and after the above date (Dec. 10, 1914) all vessels entering the North Sea from the Channel, or vice versa, must pass through the Downs, where they will be given directions as to their route.

D. PASSAGES—GENERAL.

7. On and after December 10, 1914, vessels proceeding up or down Channel eastward of the Isle of Wight are very strongly advised to take pilots, as navigation will be exceedingly dangerous without their aid (see par. 5).

8. Vessels proceeding up or down the east coast should keep within 3 miles of the coast when consistent with safe navigation. The only exception to this is when passing the mouth of the Tyne. Here all vessels should pass not less than 4 miles but not more than 8 miles from the coast between Sunderland and Blyth. Vessels bound to the Tyne must take a pilot off one of the above ports, as stated in Admiralty Notice to Mariners, No. 1752. of 1914.

E. PARTICULAR PASSAGES.

[NOTE.—In each case return voyages should be made on same routes.]

9. East coast ports to French ports: See paragraphs 5, 6, and 8.

10. East coast ports to Dutch ports: Proceed as directed in paragraphs 5 and 8. Leave the English coast between the parallels of $51^{\circ} 40'$ north and $51^{\circ} 45'$ north; proceed between these parallels as far as longitude 3° east, shape course thence to destination. Vessels using this route (which passes between the British and German mine fields) must clearly understand that they do so *entirely* at their own risk.

11. East coast ports to Scandinavian or Danish ports: Proceed as directed in paragraphs 5 and 8 as far as Farn Island; then steer for the vicinity of Lindesnaes, and thence to destination, keeping in territorial waters.

12. From Atlantic and Irish ports or ports on the south or west coasts of Great Britain to Scandinavian or Danish ports: Proceed via English Channel, being guided by paragraphs 5, 6, 7, 8, and 11.

13. Sailing vessels bound to Scandinavian or Danish ports: Pass to westward of Ireland and of St. Kilda. Then make the Faroe Islands, and proceed from thence to destination, keeping 50 miles to the north of the Shetland Islands.

14. All vessels bound from east coast ports to west coast ports in the United Kingdom, and vice versa, must pass through the English Channel, and not round the north of Scotland.

ADMIRALTY WAR STAFF (TRADE DIVISION),

November 30, 1914.

Directions for navigation in mined areas, May 15, 1915.

Navigation in the North Sea and British home waters.¹

The previous Notice on Navigation in the North Sea and English Channel (dated Nov. 30, 1914), is canceled.

A.—GENERAL INSTRUCTIONS.

1. Local naval or military authorities may, at any time when they consider it necessary, close a port during certain hours without previous warning.

2. Before leaving ports in the United Kingdom masters of vessels should be careful to obtain the latest Admiralty Notices to Mariners. Attention is called to the notice on the inside cover of all Admiralty Sailing Directions and their supplements, and to the

¹ The following notes serve to explain these directions, especially article 11:

British foreign office to United States Embassy June 5, 1915.

I did not fail to refer to the proper department of His Majesty's Government the notes which your excellency was good enough to address to me on the 22d and 29th ultimo inquiring as to the Admiralty announcement canceling the notice on navigation in the North Sea of November 30, 1914.

I have the honor to state in reply that the notice on navigation in the North Sea dated May 15 introduced no new regulations with regard to the north-about route. The notice was merely intended to summarize existing practice which has been evolved with the object of insuring that trade passing north-about shall be limited in amount and reputable in character.

Many applications for vessels to use the north-about route have been received through the legations of the Scandinavian powers in London and permission has been granted.

I have the honor to add that any similar applications which may be made on behalf of United States vessels would, of course, receive equal treatment.

British foreign office to United States Embassy July 22, 1915.

I did not fail to refer to the proper department of His Majesty's Government the note which your excellency was so good as to address to me on the 18th ultimo regarding the Admiralty announcement canceling the notice on navigation in the North Sea on November 30, 1914.

I have now the honor to inform your excellency that the action of His Majesty's Government in indicating routes to be followed by neutral merchant vessels in the vicinity of the British Isles and in the North Sea is based upon the fact that merchant vessels passing through the North Sea run very grave risk unless they act in strict accordance with the directions of the Admiralty. Before issuing such special directions to

following Admiralty Notices to Mariners and any subsequent ones that may be issued:

- No. 1738 of November 13, 1914; River Medway.
- No. 1812 of December 10, 1914; Bristol Channel.
- No. 45 of January 15, 1915; Yarmouth Roads.
- No. 137 of February 22, 1915; Irish Channel, North Channel.
- No. 165 of March 8, 1915; River Humber pilotage.
- No. 228 of March 26, 1915; Dover Strait. Light vessels established.
- No. 239 of March 27, 1915; North Sea, River Thames, and English Channel.
- No. 258 of April 3, 1915; Portland Harbor.
- No. 274 of April 7, 1915; Caution when approaching British ports.
- No. 391 of May 5, 1915; Firth of Forth, Moray Firth, Scapa Flow.
- No. 408 of May 8, 1915; River Tyne boom defense. Entrance Signals and Traffic Regulations.
- 3. Care must be taken at all times to ensure masters being in possession of the latest Notices to Mariners.
- 4. Any lights may be extinguished and other aids to navigation removed or altered at any time without previous warning. (Admiralty Notice to Mariners No. 1627 of Oct. 9, 1914.)

B.—MINES.

5. So far as is known at present there are, in addition to the mine-fields mentioned in Admiralty Notice to Mariners No. 391 of May 5, 1915, the following principal mined areas:

(a) Off the Tyne.

a neutral vessel the Admiralty desires to be assured that the vessel's voyage is undertaken with the knowledge and consent of the government of the country whose flag she flies, and for this reason it is necessary that the application by a neutral vessel for advice as to special routes should be supported by the diplomatic representative of the government in question.

If such support to the application is not given, neutral vessels will not receive the special instructions as to the north-about route and will be advised to go south-about where they can be supplied with the latest warnings and obtain the services of pilots where necessary.

British foreign office to United States Embassy August 17, 1915.

I have the honor to inform your excellency in reply that in principle His Majesty's Government would desire that neutral vessels passing north-about from one neutral port to another should sail with the knowledge and consent of the government of the country whose flag they fly and should follow a track similar as far as possible to that used by vessels sailing from British ports. The difficulty of insuring this is, however, so considerable and the responsibility of His Majesty's Government in the matter is so slight that no endeavor is being made in practice to secure any such limitation of sailings.

(b) Off Flamborough Head.

(c) Off Southwold (southern limit $50^{\circ} 54'$ north.)

(d) British mine field between latitude $51^{\circ} 15'$ north and latitude $51^{\circ} 40'$ north, and between longitude $1^{\circ} 35'$ east and longitude 3° east.

C.—PASSAGES—GENERAL.

6. All vessels entering the North Sea from the English Channel must pass between the two light vessels off Folkestone (see Admiralty Notice to Mariners No. 228 of 1915), and proceed to the Downs, keeping inshore of an imaginary line joining the southernmost of the two light vessels to the South Goodwin Light Vessel. Further instructions as to routes can be obtained in the Downs.

7. Vessels proceeding up or down the east coast should keep within 3 miles of the coast when consistent with safe navigation.

D.—PARTICULAR PASSAGES.

(NOTE.—In each case the return voyage should be made on the same route.)

8. *East coast ports to Channel and French ports.*—Proceed to the Downs, following the directions in paragraph 7 and Admiralty Notice to Mariners, No. 239 of 1915. At the Downs further instructions will be obtained.

9. *East coast ports to Dutch ports.*—Proceed as directed in paragraph 7 and Admiralty Notice to Mariners No. 239 of 1915. Leave the English coast between the parallels $51^{\circ} 40'$ north and $51^{\circ} 54'$ north; proceed between these parallels as far as longitude 3° east; shape course thence to destination. Vessels using this route (which passes between the British and German mine fields) must clearly understand that they do so entirely at their own risk.

10. *East coast ports to Scandinavian ports.*—Proceed as directed in paragraph 7 and Admiralty Notice to Mariners No. 239 of 1915, as far as Farn Island; then steer for Lindesnaes and thence to destination, keeping in territorial waters. The route from St. Abbs Head to Stavanger may be used as an alternative to the above route.

11. British and allied vessels wishing to use the north-about route should apply to the customs for directions.

Neutral vessels wishing to use the north-about route should be informed that application for permission to do so must be obtained through their diplomatic representatives and that, failing such permission, they must proceed south-about.

In no circumstances are vessels allowed to pass through the Minches or through the Pentland Firth.

12. *Sailing vessels from Atlantic to Scandinavian ports.*—Pass to westward of Ireland and St. Kilda. Then make the Faroe

Notifications, Jan. 25, 1917; Feb. 13, 1917. 133

Islands and proceed thence to destination, passing to the northward of the Shetland Islands and keeping 50 miles from them.

ADMIRALTY WAR STAFF (TRADE DIVISION), May 15, 1915.

Notification of mined areas, January 25, 1917.

In view of the unrestricted warfare carried on by Germany at sea by means of mines and submarines not only against the allied powers but also against neutral shipping, and the fact that merchant ships are constantly sunk without regard to the ultimate safety of their crews, His Majesty's Government give notice that on and after the 7th proximo the undermentioned area in the North Sea will be rendered dangerous to all shipping by operations against the enemy, and it should therefore be avoided.

Area comprising all the waters except Netherland and Danish territorial waters lying to the southward and eastward of a line commencing 4 miles from the coast of Jutland in latitude 56° north, longitude 8° east from Greenwich and passing through the following positions: Latitude 56° north, longitude 6° east, latitude $54^{\circ}45'$ east, thence to a position in latitude $53^{\circ}37'$ north, longitude 5° east, 7 miles off the coast of the Netherlands.

To meet the needs of the Netherland coastal traffic which can not strictly confine itself to territorial waters owing to navigational difficulties a safe passage will be left to the southward of a line joining the following points: Latitude $53^{\circ}27'$ north, longitude 5° east, latitude $53^{\circ}31'$ north, longitude $5^{\circ}30'$ east, latitude $53^{\circ}34'$ north, longitude 6° east, latitude $53^{\circ}39'$ north, longitude $6^{\circ}23'$ east.

Notification of mined areas, February 13, 1917.

North Sea.—Caution with regard to dangerous area.

Caution.—In view of the unrestricted warfare carried on by Germany at sea by means of mines and submarines not only against the allied powers, but also against neutral shipping, and the fact that merchant ships are constantly sunk without regard to the ultimate safety of their crews, His Majesty's Government give notice that on and after February 7, 1917, the undermentioned area in the North Sea will be rendered dangerous to all shipping by operations against the enemy, and it should therefore be avoided.

Dangerous area.—The area comprising all the waters except Netherland and Danish territorial waters lying to the southward and eastward of a line commencing four miles from the coast of Jutland in latitude 56° north, longitude 8° east, and passing through the following positions: Latitude 56° north, longitude 6° east, and latitude $54^{\circ}45'$ north, longitude $4^{\circ}30'$ east, thence to a position in latitude $53^{\circ}27'$ north, longitude 5° east, 7 miles from the coast of The Netherlands.

To meet the needs of the coastal traffic which can not strictly confine itself to territorial waters owing to navigational difficulties, it will be safe to navigate between the coast of Jutland and a line passing through the following positions: Latitude 56° north, longitude 8° east, latitude 55° 40' north, longitude 8° east, latitude 55° 36' north, longitude 7° 15' east, latitude 55° 32' north, longitude 7° 15' east, latitude 55° 22' north, longitude 7° 45' east, latitude 55° 19' north, longitude 8° 4' east, latitude 55° 22' north, longitude 8° 19' east, which is 3 miles from the coast of Fano Island.

Also a safe passage will be left along the Netherland coast southward of a line joining the following positions: Latitude 53° 27' north, longitude 5° east, latitude 53° 31½' north, longitude 5° 30' east, latitude 53° 34' north, longitude 6° east, latitude 53° 39' north, longitude 6° 23' east.

Notification of mined area, March 21, 1917.

As from April 1, 1917, the dangerous area will comprise all the waters except Danish and Netherlands territorial waters lying to the southward and eastward of a line commencing 3 miles from the coast of Jutland on the parallel of latitude 56° north and passing through the following positions:

One. Latitude 56° north, longitude 6° east.

Two. Latitude 54° 45' north, longitude 4° 30' east.

Three. Latitude 53° 23' north, longitude 5° 1' east.

Four. Latitude 53° 25' north, longitude 5° 5½' east, and thence to the eastward following the limit of Netherlands territorial waters.

Notification of extension of mined area, April 27, 1917.

Admiralty Notice 434, dated April 26, cancels No. 319, entitled caution with regard to dangerous area. New notice repeats former preamble and states that on and after May 3, 1917, will be further extended as undermentioned.

Dangerous area.—The area comprising all the waters except Netherlands and Danish territorial waters lying to the southward and eastward of a line commencing 3 miles from the coast of Jutland on the parallel of latitude 56° north, and passing through the following positions: First. Latitude 56° north, longitude 6° east. Second. Latitude 54° 45' north, longitude 4° 30' east. Third. Latitude 53° 15' north, longitude 4° 30' east. Fourth. Latitude 53° 23' north, longitude 4° 50' east. Fifth. Latitude 53° 23' north, longitude 5° 01' east. Sixth. Latitude 53° 25' north, longitude 5° 05½' east, and from thence to the eastward, following the limit of Netherlands territorial waters.

BLOCKADES AND COMMERCIAL RESTRICTIONS.

Notification, blockade of the coast of German East Africa, February 23, 1915.

[London Gazette, Feb. 26, 1915, p. 1975; Manual of Emergency Legislation, Supp. No. 3, p. 292; Journal Officiel, Mar. 5, 1915, p. 1159.]

FOREIGN OFFICE, *February 23, 1915.*

His Majesty's Government have decided to declare a blockade of the coast of German East Africa as from midnight, February 28–March 1. The blockade will extend along the whole coast, including the islands, i. e., from latitude 4° 41' south to latitude 10° 40' south.

Four days' grace from the time of the commencement of the blockade will be given for the departure of neutral vessels from the blockaded area.

Notification, blockade of the coast of the Cameroons, Apr. 24, 1915.¹

[London Gazette, Apr. 27, 1915, p. 4060; Manual of Emergency Legislation, Supp. No. 3, p. 293.]

FOREIGN OFFICE, *April 24, 1915.*

His Majesty's Government have decided to declare a blockade of the coast of the Cameroons as from midnight April 23–24. The blockade will extend from the entrance of the Akwayafe River to Bimbia Creek, and from the Benge mouth of the Sanaga River to Campo.

Forty-eight hours' grace from the time of the commencement of the blockade will be given for the departure of neutral vessels from the blockaded area.

Notification, restriction of Cameroons blockade, January 11, 1916.

[London Gazette, Jan. 11, 1916, p. 447.]

With reference to the notification, dated April 24, 1915, which appeared in the London Gazette of April 27 last, His Majesty's Government give notice that the blockade of the coast of Cameroons has been raised so far as concerns the coast line from the Akwayafe River to Bimbia Creek. The blockade still remains in force from the Benge mouth of the Sanaga River to Campo.

Foreign Office, January 8,² 1916.

¹ See French notifications, *supra*, p. 91.

² This appears to be an error for Jan. 11; see following notification.

Notification, raising of Cameroons blockade, February 29, 1916.

[London Gazette, Feb. 29, 1916, p. 2238.]

With reference to the notification dated January 11, 1916, which appeared in the London Gazette of that date, His Majesty's Government give notice that the blockade of the coast of the Cameroons, which had been maintained in force from the Bengue mouth of the Sanaga River to Campo, is completely raised as from midnight (Greenwich time), February 29–March 1.

Notification, blockade of the coast of Asia Minor, including entrance to Dardanelles, June 1, 1915.

[London Gazette, June 4, 1915, p. 5386; Manual of Emergency Legislation, Supp. No. 4, p. 102.]

FOREIGN OFFICE, *June 1, 1915.*

His Majesty's Government have decided to declare a blockade of the coast of Asia Minor, commencing at noon on June 2. The area of the blockade will extend from latitude 37° 35' north to latitude 40° 5' north, and will include the entrance to the Dardanelles. Seventy-two hours' grace from the moment of the commencement of the blockade will be given for the departure of neutral vessels from the blockaded area.

Notification, blockade of coast of Bulgaria, October 16, 1915.

[London Gazette, Oct. 19, 1915, p. 10261.]

FOREIGN OFFICE, *October 16, 1915.*

The vice admiral commanding the Eastern Mediterranean Squadron of the allied fleets has declared a blockade of the Bulgarian coasts in the Aegean Sea, commencing from 6 a. m. on the 16th instant. Forty-eight hours' grace from the moment of the commencement of the blockade has been assigned for the departure of neutral vessels from the blockaded area.

Notification, extension of blockade of coast of Aegean Sea, September 20, 1916.

[London Gazette, Sept. 22, 1916, p. 9208.]

FOREIGN OFFICE, *September 20, 1916.*

The limits of the blockade of the coast of the Aegean Sea, notified in the London Gazette of October 19, 1915, have been extended westward as far as the mouth of the Struma River, in 40° 46' north latitude and 23° 53' east longitude. The blockade takes effect in the area thus added from the 16th instant.

Neutral ships already in ports or at places on the newly blockaded coasts are being allowed until 8 a. m. on the 21st instant to leave the blockaded area.

Declaration by Great Britain and France of retaliatory measures against Germany, March 1, 1915.

[Journal Officiel, Mar. 16, 1915, p. 1388.]

Germany has declared the English Channel, the northern and western coasts of France, as well as the waters surrounding the British Isles to be a "war zone," and has officially proclaimed that "all enemy vessels found in this zone will be destroyed and that neutral vessels there might be in danger." This is in reality a claim to torpedo at sight, without regard for the safety of crew and passengers, any merchant vessel under any flag. As it is not in the power of the German Admiralty to maintain any vessel on the surface in these waters, this attack can only be carried out by submarine means. International law and the custom of nations regarding attack against commerce have always presumed that the first duty of the captor of a merchant vessel is to take it before a prize court where it can be judged, where the regularity of the capture can be determined, and where neutrals may recover their cargo. To sink a captured vessel is in itself a questionable act, to which recourse can be had only under extraordinary circumstances and after measures have been taken to assure the safety of all the crew and the passengers, if there are passengers on board. The responsibility of distinguishing between neutral and enemy cargo, as well as between neutral and enemy vessels, is manifestly incumbent on the attacking vessel, whose duty it is to verify the status and the character of the vessel and its cargo, as well as to place all papers in safety, before sinking or even making a capture. Also the duty toward humanity consisting in assuring the safety of crews of merchant vessels, whether they are neutral or enemy, is an obligation for every belligerent. It is on this basis that all previous discussions of the law aiming at regulating the conduct of war at sea have been conducted.

In fact, a German submarine is incapable of fulfilling any one of these obligations. It exercises no local power on the waters in which it operates. It does not bring its capture within the jurisdiction of a prize court. It does not carry any prize crew which it can put aboard a prize. It employs no effective means of distinguishing between a neutral and an enemy vessel. It does not, by taking them on board, assure the safety of the crew and passengers of the vessel which it sinks. Its methods of war are consequently entirely outside the observance of all international texts governing operations against commerce in time of war.

The German declaration substitutes for regulated capture, blind destruction.

Germany adopts these methods against peaceful merchants and noncombatant crews with the avowed intention of preventing merchandise of every kind (including provisions for feeding the civil population) from entering or leaving the British Isles and northern France. Her adversaries are consequently forced to have recourse to measures of retaliation, so as to prevent reciprocally merchandise of all kinds from reaching or leaving Germany. However, these measures will be enforced by the French and British Governments without risk, either for the vessels or the lives of neutrals and of noncombatants, and in strict conformity with humane principles.

Consequently, the French Government and the British Government consider themselves free to stop and conduct into their ports vessels carrying merchandise presumably destined for the enemy, property of the enemy, or coming from the enemy. These vessels will not be confiscated unless they shall be liable to be condemned for other reasons. The treatment of vessels and cargoes which have gone to sea before this date will not be modified.

Order in council, retaliatory measures against trade of Germany, March 11, 1915.¹

[London Gazette, Mar. 15, 1915, p. 2605; Man. Em. Leg., Supp. No. 3, p. 513.]

1915. No. 206.

At the court at Buckingham Palace, the 11th day of March, 1915.
Present, the King's Most Excellent Majesty in Council.

Whereas the German Government has issued certain orders, which, in violation of the usages of war, purport to declare the waters surrounding the United Kingdom a military area, in which all British and allied merchant vessels will be destroyed, irrespective of the safety of the lives of passengers and crew, and in which neutral shipping will be exposed to similar danger in view of the uncertainties of naval warfare;

And whereas in a memorandum accompanying the said orders neutrals are warned against intrusting crews, passengers, or goods to British or allied ships;

And whereas such attempts on the part of the enemy give to His Majesty an unquestionable right of retaliation;

And whereas His Majesty has therefore decided to adopt further measures in order to prevent commodities of any kind from reaching or leaving Germany, though such measures will be enforced without risk to neutral ships or to neutral or noncombatant life, and in strict observance of the dictates of humanity.

¹ For similar French measures, see *supra*, p. 44.

And whereas the allies of His Majesty are associated with him in the steps now to be announced for restricting further the commerce of Germany :

His Majesty is therefore pleased, by and with the advice of his Privy Council, to order and it is hereby ordered as follows :

I. No merchant vessel which sailed from her port of departure after March 1, 1915, shall be allowed to proceed on her voyage to any German port.

Unless the vessel receives a pass enabling her to proceed to some neutral or allied port to be named in the pass, goods on board any such vessel must be discharged in a British port and placed in the custody of the marshal of the prize court. Goods so discharged, not being contraband of war, shall, if not requisitioned for the use of His Majesty, be restored by order of the court, upon such terms as the court may in the circumstances deem to be just, to the person entitled thereto.

II. No merchant vessel which sailed from any German port after March 1, 1915, shall be allowed to proceed on her voyage with any goods on board laden at such port.

All goods laden at such port must be discharged in a British or allied port. Goods so discharged in a British port shall be placed in the custody of the marshal of the prize court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the prize court. The proceeds of goods so sold shall be paid into court and dealt with in such manner as the court may in the circumstances deem to be just.

Provided, that no proceeds of the sale of such goods shall be paid out of court until the conclusion of peace, except on the application of the proper officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this order.

Provided also, That nothing herein shall prevent the release of neutral property laden at such enemy port on the application of the proper officer of the Crown.

III. Every merchant vessel which sailed from her port of departure after March 1, 1915, on her way to a port other than a German port, carrying goods with an enemy destination, or which are enemy property, may be required to discharge such goods in a British or allied port. Any goods so discharged in a British port shall be placed in the custody of the marshal of the prize court, and, unless they are contraband of war, shall, if not requisitioned for the use of His Majesty, be restored by order of the court, upon such terms as the court may in the circumstances deem to be just, to the person entitled thereto.

Provided, That this article shall not apply in any case falling within Articles II or IV of this order.

140 *British Regulations as to Captured Property.*

IV. Every merchant vessel which sailed from a port other than a German port after March 1, 1915, having on board goods which are of enemy origin or are enemy property may be required to discharge such goods in a British or allied port. Goods so discharged in a British port shall be placed in the custody of the marshal of the prize court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the prize court. The proceeds of goods so sold shall be paid into court and dealt with in such manner as the court may in the circumstances deem to be just.

Provided, That no proceeds of the sale of such goods shall be paid out of court until the conclusion of peace except on the application of the proper officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this order.

Provided also, That nothing herein shall prevent the release of neutral property of enemy origin on the application of the proper officer of the Crown.

V. (1) Any person claiming to be interested in, or to have any claim in respect of, any goods (not being contraband of war) placed in the custody of the marshal of the prize court under this order, or in the proceeds of such goods, may forthwith issue a writ in the prize court against the proper officer of the Crown and apply for an order that the goods should be restored to him, or that their proceeds should be paid to him, or for such other order as the circumstances of the case may require.

(2) The practice and procedure of the prize court shall, so far as applicable, be followed *mutatis mutandis* in any proceedings consequential upon this order.

VI. A merchant vessel which has cleared for a neutral port from a British or allied port, or which has been allowed to pass having an ostensible destination to a neutral port, and proceeds to an enemy port, shall, if captured on any subsequent voyage, be liable to condemnation.

VII. Nothing in this order shall be deemed to affect the liability of any vessel or goods to capture or condemnation independently of this order.

VIII. Nothing in this order shall prevent the relaxation of the provisions of this order in respect of the merchant vessels of any country which declares that no commerce intended for or originating in Germany or belonging to German subjects shall enjoy the protection of its flag.

ALMERIC FITZROY.

Retaliatory Order against German Trade. 141

*Order in council, retaliatory measures against German trade.
January 10, 1917.*

[London Gazette, Jan. 12, 1917, p. 489.]

ORDER IN COUNCIL.

At the court at Buckingham Palace, the 10th day of January, 1917.

Present, the King's Most Excellent Majesty in Council.

Whereas, on the 11th day of March, 1915, an order was issued by His Majesty in council directing that all ships which sailed from their ports of departure after the 1st day of March, 1915, might be required to discharge in a British or allied port goods which were of enemy origin or of enemy destination or which were enemy property;

And whereas such order in council was consequent upon certain orders issued by the German Government purporting to declare, in violation of the usages of war, the waters surrounding the United Kingdom a military area, in which all British and allied merchant vessels would be destroyed, irrespective of the lives of passengers and crew, and in which neutral shipping would be exposed to similar danger, in view of the uncertainties of naval warfare;

And whereas the sinking of British, allied, and neutral merchant ships, irrespective of the lives of passengers and crews, and in violation of the usages of war, has not been confined to the waters surrounding the United Kingdom, but has taken place in a large portion of the area of naval operations;

And whereas such illegal acts have been committed not only by German warships but by warships flying the flag of each of the enemy countries;

And whereas on account of the extension of the scope of the illegal operations carried out under the said German orders, and in retaliation therefor, vessels have been required under the provisions of the order in council aforementioned to discharge in a British or allied port goods which were of enemy origin or of enemy destination or which were enemy property, irrespective of the enemy country from or to which such goods were going or of the enemy country in which was domiciled the persons whose property they were;

And whereas doubts have arisen as to whether the term "enemy" in articles 3 and 4 of the said order in council includes enemy countries other than Germany;

Now, therefore, His Majesty is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, as follows:

1. In articles 3 and 4 of the said order in council of March 11, 1915, aforementioned, the terms "enemy destination" and "enemy origin" shall be deemed to apply and shall apply to goods destined

for or originating in any enemy country, and the term "enemy property" shall be deemed to apply and shall apply to goods belonging to any person domiciled in any enemy country.

2. Effect shall be given to this order in the application of the said order in council of March 11, 1915, to goods which previous to the date of this order have been discharged at a British or allied port, being goods of destination or origin or property which was enemy though not German, and all such goods shall be detained and dealt with in all respects as is provided in the said order in council of March 11, 1915.

J. C. LEDLIE.

*Order in council, retaliatory measures against German trade,
February 16, 1917.*

[London Gazette, Feb. 21, 1917, p. 1845.]

ORDER IN COUNCIL.

At the Court at Buckingham Palace, the 16th day of February, 1917.

Present, the King's Most Excellent Majesty in council.

Whereas, by an order in council dated the 11th day of March, 1915, His Majesty was pleased to direct certain measures to be taken against the commerce of the enemy;

And whereas the German Government has now issued a memorandum declaring that from the 1st February, 1917, all sea traffic will be prevented in certain zones therein described adjacent to Great Britain and France and Italy, and that neutral ships will navigate the said zones at their own risk:

And whereas similar directions have been given by other enemy powers;

And whereas the orders embodied in the said memorandum are in flagrant contradiction with the rules of international law, the dictates of humanity, and the treaty obligations of the enemy;

And whereas such proceedings on the part of the enemy render it necessary for His Majesty to adopt further measures in order to maintain the efficiency of those previously taken to prevent commodities of any kind from reaching or leaving the enemy countries, and for this purpose to subject to capture and condemnation vessels carrying goods with an enemy destination or of enemy origin unless they afford unto the forces of His Majesty and his allies ample opportunities of examining their cargoes, and also to subject such goods to condemnation;

His Majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that the following directions shall be observed in respect of all vessels which sail from their port of departure after the date of this order:

1. A vessel which is encountered at sea on her way to or from a port in any neutral country affording means of access to the enemy territory without calling at a port in British or allied terri-

5. This order is supplemental to the orders in council of the 11th day of March, 1915, and the 10th day of January, 1917, for restricting the commerce of the enemy.

MISCELLANEOUS WAR MEASURES.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Em-

SIR: With reference to Viscount Grey of Fallodon's note of the 24th July, 1915, I have the honor to inform Your Excellency that the Italian Government have decided to accede to the convention concluded between Great Britain and France on the 9th November, 1914, relating to naval prizes during the present European war, notwithstanding the interpreta-

peror of India, and the President of the French Republic, being desirous to determine the jurisdiction to which the adjudication of joint captures which may be made during the course of the present war by the naval forces of the allied countries shall belong, or of captures which may be made of merchant vessels belonging to nationals of one of the countries by the cruisers of the other; and being desirous to regulate at the same time the mode of distribution of the proceeds of joint captures, have named as their Plenipotentiaries for that purpose, that is to say:

Empereur des Indes, et le Président de la République française, voulant déterminer la juridiction à laquelle devra appartenir le Jugement des prises qui, dans le cours de la guerre actuelle, pourront être opérées par les forces navales des pays alliés, ou des prises qui pourront être faites sur des navires marchands appartenant aux nationaux de l'un des pays par les croiseurs de l'autre et voulant régler en même temps le mode de répartition des produits des prises effectuées en commun, ont nommé pour leurs Plénipotentiaires à cet effet, savoir:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: The Right Honourable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His

Sa Majesté le Roi de Grande-Bretagne et d'Irlande et des Territoires britanniques au delà des Mers, Empereur des Indes: Le Très Honorable Sir Edward Grey, Baronnet du Royaume-Uni, Membre du Parlement, Principal Secrétaire d'État de

tion which has been given by the British and French Governments to article 2 of the convention referred to in paragraphs 2 and 3 of the above-mentioned note.

In requesting Your Excellency to take note, in the name of the British Government, of the present declaration, I have the honor, etc.

IMPERIALI.

(2)

His Majesty's Secretary of State for Foreign Affairs to the Italian Ambassador.

FOREIGN OFFICE, January 26 1917.

YOUR EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's note of the 15th instant, in which you are good enough to inform me of the accession of Italy to the convention between the United Kingdom and France of the 9th November, 1914, relative to prizes captured during the present war, as modified by the extended interpretation which has since been assigned by the contracting parties to article 2 thereof.

His Majesty's Government have taken due note of this communication, a certified copy of which will, in view of article 9 of the convention, be forwarded to the French and Russian Governments.

I have the honor, etc.

A. J. BALFOUR. -

Majesty's Principal Secretary of State for Foreign Affairs; and	Sa Majesté au Département des Affaires Étrangères; et
The President of the French Republic: His Excellency M. Paul Cambon, Ambassador of the French Republic at London;	Le Président de la République française: Son Excellence M. Cambon, Ambassadeur de France à Londres;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed upon the following articles:—	Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants:
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ARTICLE 1.

ARTICLE 1^{er}.

The adjudication of neutral or enemy prizes shall belong to the jurisdiction of the country of the capturing vessel, without distinguishing whether that vessel was placed under the orders of the naval authorities of one or other of the allied countries.	Le jugement des prises ennemies ou neutres appartiendra à la juridiction du pays du bâtiment capteur, sans qu'il y ait à distinguer selon que celui-ci était placé sous les ordres des autorités navales de l'un ou de l'autre des pays alliés.
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ARTICLE 2.¹

ARTICLE 2.

In case of the capture of a merchant vessel of one of the allied countries, the adjudica-	En cas de capture d'un bâtiment de la marine marchande de l'un des pays alliés, le jugement
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¹ By exchange of notes (15th February–27th April, 1915) between His Majesty's Government and the French Government it has been agreed that, where both vessel and cargo are proceeded against under article 2 of the convention of the 9th November, 1914, the provisions of paragraph 1 of that article shall be held to apply in all cases. Where only the cargo of the vessel is concerned, however, it has been agreed that, in addition to the specific case provided for by article 2, paragraph 2—viz, where the original destination of the vessel was an enemy port—the principles laid down in that paragraph shall apply also to cases of contraband consigned to a neutral port and to cases of enemy property where the original destination was not a hostile port.

By exchange of notes (31st May, 1915–26th October, 1916) between His Majesty's Government and the Russian Government it has been agreed that a similar interpretation of article 2 of the convention shall be held to apply in the cases referred to.*

(Official footnote:)

* By the Imperial Russian ukase of the 10th/23d August, 1915, it is decreed that enemy cargo found in Russian vessels, and equally in allied vessels, which have been overtaken by the war in Russian ports or littoral waters, or which have entered therein during the war, is liable to confiscation on the order of the nearest prize court. (Great Britain. Treaty Series, 1916, No. 5.)

tion of such capture shall always belong to the jurisdiction of the country of the captured vessel. In such case the cargo shall be dealt with, as to the jurisdiction, in the same manner as the vessel.

When a merchant vessel of one of the allied countries, whose original destination was an enemy port, and which is carrying an enemy or neutral cargo liable to capture, has entered a port of one of the allied countries, the prize jurisdiction of that country is competent to pronounce the condemnation of the cargo. In such case the value of the goods, after deducting the necessary expenses, shall be placed to the credit of the Government of the allied country whose flag the merchant vessel flies.

ARTICLE 3.

When a joint capture shall be made by the naval forces of the allied countries, the adjudication thereof shall belong to the jurisdiction of the country whose flag shall have been borne by the officer having the superior command in the action.

ARTICLE 4.

When a capture shall be made by a cruiser of one of the allied nations in the presence and in the sight of a cruiser of the other, such cruiser having thus contributed to the intimidation of the enemy and encouragement of the captor, the adjudication thereof shall belong to the jurisdiction of the actual captor.

en appartiendra toujours à la juridiction du pays du bâtiment capturé; la cargaison suivra, en ce cas, quant à la juridiction, le sort du bâtiment.

Lorsqu'un navire de commerce allié, originairement destiné à un port ennemi, et portant une cargaison ennemie ou neutre sujette à capture, est entré dans le port d'un des pays alliés, la juridiction des prises de ce pays est compétente pour en prononcer la condamnation. En ce cas la valeur des marchandises, déduction faite des dépenses nécessaires, sera placée au crédit du Gouvernement du pays allié, sous le pavillon duquel le navire de commerce naviguait.

ARTICLE 3.

Lorsqu'une prise sera faite en commun par les forces navales des pays alliés, le jugement en appartiendra à la juridiction du pays dont le pavillon aura été porté par l'officier qui aura eu le commandement supérieur dans l'action.

ARTICLE 4.

Lorsqu'une prise sera faite par un croiseur de l'une des nations alliées en présence et en vue d'un croiseur de l'autre, qui aura ainsi contribué à intimider l'ennemi et à encourager le capteur, le jugement en appartiendra à la juridiction du capteur effectif.

ARTICLE 5.

In case of condemnation under the circumstances described in the preceding articles:

1. If the capture shall have been made by vessels of the allied nations whilst acting in conjunction, the net proceeds of the prize, after deducting the necessary expenses, shall be divided into as many shares as there were men on board the capturing vessels, without reference to rank, and the shares of each ally as so ascertained shall be paid and delivered to such person as may be duly authorised on behalf of the allied Government to receive the same; and the allocation of the amount belonging to each vessel shall be made by each Government according to the laws and regulations of the country.

2. If the capture shall have been made by cruisers of one of the allied nations in the presence and in sight of a cruiser of the other, the division, the payment, and the allocation of the net proceeds of the prize, after deducting the necessary expenses, shall likewise be made in the manner above mentioned.

3. If, in accordance with article 2, paragraph 1, a capture, made by a cruiser of one of the allied countries, shall have been adjudicated by the Courts of the other, the net proceeds of the prize, after deducting the necessary expenses, shall be made over in the same manner to the Government of the captor, to be distributed according to its laws and regulations.

ARTICLE 5.

En cas de condamnation dans les circonstances prévues par les articles précédents:

1. Si la capture a été faite par des bâtiments des nations alliées agissant en commun, le produit net de la prise, déduction faite des dépenses nécessaires, sera divisé en autant de parts qu'il y aura d'hommes embarqués sur les bâtiments capteurs, sans tenir compte des grades, et les parts revenant ainsi à chacune des nations alliées seront payées et délivrées à la personne qui sera dûment autorisée par le Gouvernement allié à les recevoir; et la répartition des sommes revenant aux bâtiments respectifs sera faite par les soins de chaque Gouvernement suivant les lois et les règlements du pays.

2. Si la prise a été faite par les croiseurs de l'une des nations alliées en présence et en vue d'un croiseur de l'autre, le partage, le paiement et la répartition du produit net de la prise, déduction faite des dépenses nécessaires, auront lieu également de la manière indiquée ci-dessus.

3. Si, conformément à l'article 2, alinéa 1, la prise, faite par un croiseur de l'un des pays alliés, a été jugée par les Tribunaux de l'autre, le produit net de la prise, déduction faite des dépenses nécessaires, sera remis de la même manière au Gouvernement du capteur, pour être distribué conformément à ses lois et règlements.

ARTICLE 6.

The commanders of the vessels of war of the allied countries shall, with regard to the sending in and delivering up of prizes, conform to the instructions which are annexed to the present Convention, and which the two Governments reserve to themselves the right to modify by common consent, if it should become necessary.

ARTICLE 6.

Les commandants des bâtiments de guerre des pays alliés se conformeront, pour la conduite et la remise des prises, aux instructions jointes à la présente Convention, et que les deux Gouvernements se réservent de modifier, s'il y a lieu, d'un commun accord.

ARTICLE 7.

When, with a view to the execution of the present Convention, it shall become necessary to proceed to the valuation of a captured vessel of war, the calculation shall be according to the real value of the same; and the allied Government shall be entitled to delegate one or more competent officers to assist in the valuation. In case of disagreement, it shall be decided by lot which officer shall have the casting voice.

ARTICLE 7.

Lorsque, pour l'exécution de la présente Convention, il y aura lieu de procéder à l'estimation d'un bâtiment de guerre capturé, cette estimation portera sur sa valeur effective; et le Gouvernement allié aura la faculté de déléguer un ou plusieurs officiers compétents pour concourir à l'estimation. En cas de désaccord, le sort décidera quel officier devra avoir la voix prépondérante.

ARTICLE 8.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible.

ARTICLE 8.

La présente Convention sera ratifiée, et les ratifications en seront échangées à Londres aussitôt que faire se pourra.

ARTICLE 9.

The non-signatory allied Powers shall be invited to accede to the present Convention.

ARTICLE 9.

Les Puissances alliées non signataires seront invitées à adhérer à la présente Convention.

A Power which desires to accede shall notify its intention

La Puissance qui désirera adhérer notifiera par écrit son

in writing to the Government of His Britannic Majesty, who shall immediately forward to the Government of the French Republic a duly certified copy of the notification.

intention au Gouvernement de Sa Majesté britannique, lequel transmettra immédiatement au Gouvernement de la République française une copie certifiée conforme de cette notification.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seals of their arms.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention, et y ont apposé le cachet de leurs armes.

Done at London, in duplicate, the 9th day of November, 1914.

Fait à Londres, en double exemplaire, le 9 novembre, 1914.

(L. S.) E. GREY.

(L. S.) PAUL CAMBON.

ANNEX.

ANNEXE.

Instructions to the Commanders of Ships of War of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the French Republic.

Instructions pour les Commandants des Bâtiments de Guerre de Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et de la République française.

You will find enclosed a copy of a Convention which was signed on the 9th November, 1914, between His Majesty the King of the United Kingdom of Great Britain and Ireland and the President of the French Republic, regulating the jurisdiction to which shall belong the adjudication of the captures made by the allied naval forces, or of the captures of merchant vessels belonging to the nationals of either of the two countries which shall be made by the cruisers of the other, as likewise the mode of distribution of the proceeds of such joint captures.

Vous trouverez ci-joint copie d'une Convention signée le 9 novembre, 1914, entre Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et le Président de la République française, pour régler la juridiction à laquelle devra appartenir le jugement des prises opérées par les forces navales alliées, ou faites sur des navires marchands appartenant aux nationaux de l'un des deux États par les croiseurs de l'autre, ainsi que le mode de répartition du produit des prises effectuées en commun.

In order to ensure the execution of this Convention, you will conform yourself to the following instructions :—

Pour assurer l'exécution de cette Convention, vous aurez à vous conformer aux instructions suivantes :

ARTICLE 1.

Whenever, in consequence of a joint action, you are required to draw up the report or *procès-verbal* of a capture, you will take care to specify, with exactness, the names of the ships of war present during the action, as well as the names of their commanding officers, and, as far as possible, the number of men embarked on board those ships at the commencement of the action, without distinction of rank.

You will deliver a copy of that report or *procès-verbal* to the officer of the allied Power who shall have had the superior command during the action, and you will conform yourself to the instructions of that officer, as far as relates to the measures to be taken for the conduct and the adjudication of the joint captures so made under his command.

If the action has been commanded by an officer of your nation, you will conform yourself to the regulations of your own country, and you will confine yourself to handing over to the highest officer in rank of the allied Power who was present during the action, a certified copy of the report or of the *procès-verbal* which you shall have drawn up.

ARTICLE 1^{er}.

Lorsque, par suite d'une action commune, vous serez dans le cas de rédiger le rapport ou le procès-verbal d'une capture, vous aurez soin d'indiquer avec exactitude les noms des bâtiments de guerre présents à l'action, ainsi que de leurs commandants, et, autant que possible, le nombre d'hommes embarqués à bord de ces bâtiments au commencement de l'action, sans distinction de grades.

Vous remettrez une copie de ce rapport ou procès-verbal à l'officier de la Puissance alliée qui aura eu le commandement supérieur dans l'action, et vous vous conformerez aux instructions de cet officier en ce qui concerne les mesures à prendre pour la conduite et le jugement des prises ainsi faites en commun sous son commandement.

Si l'action a été commandée par un officier de votre nation, vous vous conformerez aux règlements de votre propre pays, et vous vous bornerez à remettre à l'officier le plus élevé en grade de la Puissance alliée, présent à l'action, une copie certifiée du rapport ou du procès-verbal que vous aurez rédigé.

ARTICLE 2.

When you shall have effected a capture in presence and in sight of an allied ship of war, you will mention exactly, in the report which you will draw up when the capture is a ship of war, and in the report or *procès-verbal* of the capture when the prize is a merchant vessel, the number of men on board your ship at the commencement of the action, without distinction of rank, as well as the name of the allied ship of war which was in sight, and, if possible, the number of men embarked on board that ship, likewise without distinction of rank. You will deliver a certified copy of your report, or *procès-verbal*, to the commander of that ship.

ARTICLE 2.

Lorsque vous aurez effectué une capture en présence et en vue d'un bâtiment de guerre allié, vous mentionnerez exactement dans le rapport que vous rédigerez, s'il s'agit d'un bâtiment de guerre, et dans le procès-verbal de capture, s'il s'agit d'un bâtiment de commerce, le nombre d'hommes que vous aviez à bord au commencement de l'action, sans distinction de grade, ainsi que le nom du bâtiment de guerre allié qui se trouvait en vue, et, s'il est possible, le nombre d'hommes embarqués à bord, également sans distinction de grades. Vous remettrez une copie certifiée de votre rapport ou procès-verbal au commandant de ce bâtiment.

ARTICLE 3.

Whenever, in the case of a violation of a blockade, of the transport of contraband articles, of land or sea troops of the enemy, or of official despatches from or for the enemy, you will find yourself under the necessity of stopping and seizing a merchant vessel of the allied nation, you will take care—

ARTICLE 3.

Lorsqu'en cas de violation de blocus, de transport d'objets de contrebande, de troupes de terre ou de mer ennemies, ou de dépêches officielles de ou pour l'ennemi, vous serez dans le cas d'arrêter et saisir un bâtiment de la marine marchande du pays allié, vous devrez :

1. To draw up a report (or *procès-verbal*), stating the place, the date, and the motive of the arrest, the name of the vessel, that of the captain, the number of the crew; and containing besides an exact description of the state of the vessel and her cargo;

1. Rédiger un procès-verbal, énonçant le lieu, la date et le motif de l'arrestation, le nom du bâtiment, celui du capitaine, le nombre des hommes de l'équipage; et contenant en outre la description exacte de l'état du navire et de sa cargaison;

2. To collect and place in a sealed packet, after having made an inventory of them, all the ship's papers, such as registers, passports, charter-parties, bills of lading, invoices, and other documents calculated to prove the nature and the ownership of the vessel and of her cargo;

3. To place seals upon the hatches;

4. To place on board an officer, with such number of men as you may deem advisable, to take charge of the vessel, and to ensure its safe conduct;

5. To send the vessel to the nearest port belonging to the Power whose flag it carried;

6. To deliver up the vessel to the authorities of the port to which you shall have taken her, together with a duplicate of the report (or *procès-verbal*), and of the inventory above mentioned, and with the sealed packet containing the ship's papers.

ARTICLE 4.

The officer who conducts the captured vessel will procure a receipt proving his having delivered her up, as well as his having delivered the sealed packet and the duplicate of the report (or *procès-verbal*) and of the inventory above mentioned.

ARTICLE 5.

In case of distress, if the captured vessel is not in a fit state to continue its voyage, or in case the distance should be too

2. Réunir en un paquet cacheté, après en avoir fait l'inventaire tous les papiers de bord, tels que: actes de nationalité ou de propriété, passeports, charte-parties, connaissements, factures et autres documents propres à constater la nature et la propriété du bâtiment et de la cargaison;

3. Mettre les scellés sur les écoutilles;

4. Placer à bord un officier, avec tel nombre d'hommes que vous jugerez convenable, pour prendre le bâtiment en charge, et en assurer la conduite;

5. Envoyer le bâtiment au port le plus voisin de la Puissance dont il portait le pavillon;

6. Faire remettre le bâtiment aux autorités du port où vous l'aurez fait conduire, avec une expédition du procès-verbal et de l'inventaire ci-dessus mentionnés, et avec le paquet cacheté, contenant les papiers de bord.

ARTICLE 4.

L'officier conducteur d'un bâtiment capturé se fera délivrer un reçu constatant la remise qu'il en aura faite, ainsi que la délivrance qu'il aura faite du paquet cacheté et de l'expédition du procès-verbal et de l'inventaire ci-dessus mentionnés.

ARTICLE 5.

En cas de détresse, si le bâtiment capturé est hors d'état de continuer sa route, ou en cas de trop grand éloignement, l'officier

great, the officer charged to conduct to a port of the allied Power a prize made on the merchant service of that Power, may enter a port of his own country, and he will deliver his prize to the local authority without prejudice to the ulterior measures to be taken for the adjudication of the prize. He will take care, in that case, that the report or *procès-verbal*, and the inventory which he shall have drawn up, as well as the sealed packet containing the ship's papers, be sent exactly to the proper court of adjudication.

chargé de conduire dans un port de la Puissance alliée une prise faite sur la marine marchande de cette Puissance, pourra entrer dans un port de son propre pays, et il remettra sa prise à l'autorité locale, sans préjudice des mesures ultérieures à prendre pour le jugement de la prise. Il veillera, dans ce cas, à ce que le rapport ou *procès-verbal* et l'inventaire qu'il aura rédigés, ainsi que le paquet cacheté contenant les papiers de bord, soient envoyés exactement à la juridiction chargée du jugement.

E. GREY.

PAUL CAMBON.

Instructions for the conduct of armed merchantmen October 20, 1915, made public March 2, 1916.

In view of the recent issue by the German Government of a memorandum on the treatment of armed merchant ships the Admiralty has decided to make public the instructions actually governing the actions of British merchant vessels armed for self-defense:

INSTRUCTIONS, DATED OCTOBER 20, 1915, IN RE THE STATUS OF ARMED
MERCHANT SHIPS.

(1) The right of the crew of a merchant vessel to forcibly resist visit and search and flight in self-defense is well recognized in international law and expressly admitted by the German prize regulations in an addendum issued June, 1914, at a time when it was known that numerous merchant vessels were being armed for self-defense.

(2) Armament is supplied solely for the purpose of resisting attack by an armed enemy vessel and must not be used for any other purpose whatsoever.

(3) An armed merchant vessel, therefore, must not in any circumstances interfere with or obstruct the free passage of other merchant vessels or fishing craft, whether these are friendly, neutral, or hostile.

(4) The status of a British armed merchant vessel can not be changed upon the high seas.

Rules to be observed in the exercise of the right of self-defense:

(1) The master or officer in command is responsible for opening and ceasing fire.

(2) Participation in armed resistance must be confined to persons acting under the orders of the master or the officer in command.

(3) Before opening fire the British colors must be hoisted.

(4) Fire must not be opened or continued from a vessel which has stopped, hauled down her flag, or otherwise indicated her intention to surrender.

(5) The expression "armament" includes not only cannon, but also rifles and machine guns in cases where these have been supplied.

(6) The ammunition used in rifles and machine guns must conform to article 23, Hague Convention, 1907; that is, bullets must be cased in nickel or other hard substance and must not be split or cut in such a way as to cause them to expand or set up on striking a man. The use of explosive bullets is forbidden.

CIRCUMSTANCES UNDER WHICH ARMAMENT SHOULD BE EMPLOYED.

(1) The armament is supplied for the purpose of defense only. The object of the master should be to avoid action whenever possible.

(2) Experience has shown that hostile submarines and aircraft have frequently attacked merchant vessels without warning. It is important, therefore, that craft of this description should not be allowed to approach to short range, at which a torpedo or bomb launched without notice would almost certainly be effective. British and allied submarines and aircraft have orders not to approach merchant vessels; consequently, it may be presumed that any submarine or aircraft which deliberately approaches or pursues a merchant vessel does so with hostile intention. In such cases fire may be opened in self-defense in order to prevent the hostile craft from closing to a range at which resistance to a sudden attack with bomb or torpedo would be impossible.

(3) An armed merchant vessel proceeding to render assistance to the crew of a vessel in distress must not seek action with any hostile craft, though if she herself is attacked while doing so fire may be opened in self-defense.

(4) It should be remembered that the flag is no guide to nationality. German submarines and armed merchant vessels have frequently employed the British, allied, or neutral colors to approach undetected. Though, however, the use of disguise and false colors to escape capture is a legitimate ruse de guerre, its

adoption by defensively armed merchant ships may easily lead to misconception. Such vessels, therefore, are forbidden to adopt any form of disguise which might cause them to be mistaken for neutral ships.

ADMIRALTY COMMENT.

These instructions, which are those at present in force, are the latest issued. Successive issues have been made, not by reason of a change in policy—the policy throughout has remained unaltered—but by improvement in wording and greater clearness of expression, to emphasize the purely defensive character of the armament of merchant vessels.

It is because of the distorted interpretation given these instructions as a whole and the very forced character of the interpretation given by the German Government to portions which they quote from an earlier issue of the instructions that the Admiralty felt it desirable, with a view to allaying neutral anxiety, to publish these in extenso.

*Order in council relating to the requisition of prizes, April 29, 1915.*¹

[Manual of Emergency Legislation, Supp. No. 3, p. 508.]

No. 387.—At the court of Buckingham Palace, the 29th day of April, 1915.

Present, the King's Most Excellent Majesty in council.

Whereas by section 3 of the prize courts act, 1894,² His Majesty in council is authorized to make rules of court for regulating, subject to the provisions of the naval prize act, 1864,³ and the said act, the procedure and practice of prize courts within the meaning of the naval prize act, 1864, and the duties and conduct of the officers of the courts and of the practitioners therein, and for regulating the fees to be taken by the officers thereof, and the costs, charges, and expenses to be allowed to the practitioners therein:

And whereas in pursuance of the prize courts act, 1894, certain rules were made by the order of His Majesty in council, dated the 5th day of August, 1914, and amended by the orders of His Majesty in council of the 30th day of September, 1914, and the 28th day of November, 1914, respectively, which said rules and amended rules were by the said orders in council directed to take effect *provisionally* in accordance with the provisions of section 2

¹ This establishes the provisional order in council of Mar. 23, 1915, notice of which was given in the London Gazette, Mar. 19, 1915, p. 2735, as "Statutory Rules."

² 57 and 58 Vict., c. 39.

³ 27 and 28 Vict., c. 25.

of the rules publication act, 1893,¹ from the dates of the said orders in council, respectively:

And whereas the provisions of section 1 of the rules publication act, 1893, were duly complied with in respect of the said rules and amended rules, and the same were *finally* made by the orders of His Majesty in council, dated, respectively, the 17th day of September, 1914, the 28th day of November, 1914, and the 3d day of February, 1915.

And whereas it is expedient that the said rules and amended rules should be further amended.

And whereas on account of urgency this order should come into immediate operation.

Now, therefore, His Majesty, by virtue of the powers in this behalf by the said act or otherwise in him vested, is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, as follows:

1. That in Order IX (discovery, inspection, and admission of documents and facts) of the said rules:

In rule 1, the words "upon filing an affidavit" shall be omitted.

In rule 1, instead of the words "any other party" there shall be substituted the words "any party other than the proper officer of the Crown."

2. That in Order XI (sale, appraisalment, safe custody, and inspection of prize) of the said rules, in rule 1, the following words shall be omitted: "on account of the condition of a ship, or on application of a claimant, and on or after condemnation."

3. That in Order XV (evidence and hearing) of the said rules, the following rules shall be added:

"21. Notwithstanding anything contained in these rules the proper officer of the Crown may apply to the judge for leave to administer interrogatories for the examination of any person whether a party to the cause or not."

4. That Order XXIX (requisition by Admiralty) of the said rules, as amended by His Majesty's order in council dated the 28th day of November, 1914, shall be, and the same is hereby, revoked, and in lieu thereof the following order shall have effect:

"ORDER XXIX - REQUISITION."²

"1. Where it is made to appear to the judge on the application of the proper officer of the Crown that it is desired to requisition

¹ 56 and 57 Vict., c. 66.

² The judicial committee of the privy council held in the case of the *Zamora* [1916] 2 A. C. 77, "Order 29, rule 1, of the Prize Court Rules, construed as an imperative direction to the court, is not binding. Under these circumstances the rule must, if possible, be construed merely as a direction to the court in cases in which it may be determined that, according to international law, the Crown has a right to requisition the vessel or goods of enemies or neutrals."

on behalf of His Majesty a ship in respect of which no final decree of condemnation has been made, he shall order that the ship shall be appraised, and that upon an undertaking being given in accordance with rule 5 of this order, the ship shall be released and delivered to the Crown.

"2. Where a decree for the detention of a ship has been made in accordance with Order XXVIII, the proper officer of the Crown may file a notice (Appendix A, Form No. 55) that the Crown desires to requisition the same, and thereupon a commission (Appendix A, Form No. 56) to the marshal directing him to appraise the ship shall issue. Upon an undertaking being given in accordance with rule 5 of this order the ship shall be released, and delivered to the Crown. Service of this notice shall not be required before filing, but copies thereof shall be served upon the parties by the proper officer of the Crown as soon thereafter as possible.

"3. Where in any case of requisition under this order it is made to appear to the judge on behalf of the Crown that the ship is required for the service of His Majesty forthwith, the judge may order the same to be forthwith released and delivered to the Crown without appraisalment.

"4. In any case where a ship has been requisitioned under the provisions of this order and whether or not an appraisalment has been made, the court may, on the application of any party, fix the amount to be paid by the Crown in respect of the value of the ship.

"5. In every case of requisition under this order an undertaking in writing shall be filed by the proper officer of the Crown for payment into court on behalf of the Crown of the appraised value of the ship, or of the amount fixed under rule 4 of this order, as the case may be, at such time or times as the court shall declare by order that the same or any part thereof is required for the purpose of payment out of court.

"6. Where in any case of requisition under this order it is made to appear to the judge on behalf of the Crown that the Crown desires to requisition the ship temporarily, the court may, in lieu of an order of release, make an order for the temporary delivery of the ship to the Crown, and subject as aforesaid the provisions of this order shall apply to such a requisition; provided that, in the event of the return of the ship to the custody of the court, the court may make such order as it thinks fit for the release of the undertaking given on behalf of the Crown or the reduction of the amount undertaken to be paid thereby, as the case may be; and provided also that, where the ship so requisitioned is subject to the provisions of Order XXVIII, rule 1, relating to detention, the amount for which the Crown shall be considered liable in respect of such requisition shall be the amount of the damage, if any, which the ship has suffered by reason of such temporary delivery as aforesaid.

"7. The proceedings in respect of a ship requisitioned under this order shall continue notwithstanding the requisition.

"8. In any case of requisition of a ship in respect of which no cause has been instituted, any person interested in such ship may, without issuing a writ, provided he does not intend to make a claim for restitution or damages, apply by summons for an order that the amount to be paid in respect of such ship be fixed by the court, and the judge may, on the hearing of such summons, order the ship to be appraised or to be valued, or give such other directions for fixing the amount as he may think fit."

5. That in Form 4 in Appendix A to the said rules there shall be omitted the words "commander of our ship of war" and the words "taken and seized as prize by our said ship of war."

6. This order shall take effect provisionally in accordance with the provisions of section 2 of the rules publication act, 1893, from the date hereof.

ALMERIC FITZROY.

Act of Parliament permitting the blacklisting of firms in neutral territory, having any association with the enemy, December 23, 1915.

[5 and 6 Geo., 5, c. 98.]

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal and commons in this present Parliament assembled, and by the authority of the same, as follows:

1. (1) His Majesty may by proclamation prohibit all persons or bodies of persons, incorporated or unincorporated, resident, carrying on business, or being in the United Kingdom, from trading with any persons or bodies of persons not resident or carrying on business in enemy territory or in territory in the occupation of the enemy (other than persons or bodies of persons, incorporated or unincorporated, residing or carrying on business solely within His Majesty's dominions), wherever by reason of the enemy nationality or enemy association of such persons or bodies of persons, incorporated or unincorporated, it appears to His Majesty expedient so to do; and if any person acts in contravention of any such proclamation he shall be guilty of a misdemeanor, triable and punishable in like manner as the offense of trading with the enemy; (2) any list of persons and bodies of persons, incorporated or unincorporated, with whom such trading is prohibited by a proclamation under this act, may be varied or added to by an order made by the Lords of the Council on the recommendation of a secretary of state; (3) the provisions of the trading with the enemy acts, 1914 and 1915, and of the customs (war powers) (No. 2) act, 1915, and all other enactments relating to trading with the enemy shall, subject to such exceptions and adaptations as may be prescribed by order in council,

apply in respect of such persons and bodies of persons as aforesaid, as if for references therein to trading with the enemy there were substituted references to trading with such persons and bodies of persons as aforesaid, and for references to enemies there were substituted references to such persons and bodies of persons as aforesaid, and for references to offenses under the trading with the enemy acts, 1914 and 1915, or any of those acts there were substituted references to offenses under this act; (4) for the purpose of this act a person shall be deemed to have traded with a person or body of persons to whom a proclamation issued under this act applies if he enters into any transaction or does any act with, to, on behalf of, or for the benefit of such a person or body of persons, which, if entered into or done with, to, on behalf of, or for the benefit of an enemy, would be trading with the enemy.

2. This act may be cited as the trading with the enemy (extension of powers) act, 1915.

GREECE.

Provisional government, declaration of war against Germany and Bulgaria, November 24, 1916.

There is no country in existence which, in its desire for peace, has done more than Greece in the course of the present war to repress its feelings, even to the extent of forgetting its aspirations, or shown so much patience toward rivals who have sought to benefit by the ruin of its interests. The spectacle of Belgium, a little country like Greece, being made the victim of a most insolent violation of solemn treaties, and the fact that that violation was the basis of the war, inclined Greece from the very first to take part in this war of nations. But in the interest of Serbia and in that of the Greek cause generally, Greece deemed it a duty to decide in favor of neutrality. Profiting by past experience of Bulgarian duplicity, however, and having from an early period reasons to suspect that treacherous designs were being entertained, Greece at the same time kept her forces absolutely in reserve in case her efforts should not succeed in preventing a Bulgarian aggression, with a view to going to the assistance of her heroic Serbian ally.

When this eventuality actually occurred, Greece, which at that time was still controlled by her legal Government, was ready loyally to fulfill the obligations of the alliance. But she was deterred by the pernicious effects of a disgraceful campaign which had long been undertaken against the moral unity of the country. As early as February, 1915, the Liberal Cabinet then in power, strong in the almost unanimous support of the representatives of the peo-

ple, decided in principle to secure at once by means of war the fullest aspirations of Hellenism, and to cooperate with the protecting powers in the Dardanelles expedition. The agents of German propaganda succeeded in preventing this by bringing about between the Crown and the responsible Government a sudden conflict, which, according to the constitutional laws confirmed by parliamentary traditions, appeared to be out of the question. Surprised by this unforeseen crisis, the Greek people deferred manifesting their opinion until the general election of May 31, 1915, when they again expressed their confidence in the Liberal Party, which was ready, the moment Bulgarian aggression manifested itself, to lead the country in the path of honor and glory.

But the pro-German party, emboldened by their success in February and fortified by the encouragement they had received, were on the alert. In spite of the recent appeal to the country, it was able to provoke between the Crown and the responsible Government a far more serious conflict than the preceding one. Again the people were patient. If they could no longer count on their parliamentary institutions, they thought that their rulers, who were unconscious dupes of German perfidy, would be compelled sooner or later by the logic of events to recognize their mistake and to attempt to safeguard the already compromised interests of the country.

Alas! this hope was vain. For a whole year they were condemned to drink deeper and deeper of the cup of national humiliation. By means of a measure of demobilization their army was reduced to inactivity. Heroic Serbia was invaded by our hereditary enemy, Bulgaria, whose forces were stationed in a menacing way on our frontier, and soon afterwards, in spite of the promises given, they seized a portion of our territory, which the criminal policy of the Greek Government basely delivered over to them, together with some of our forts and war material and an entire army.

Meanwhile another enemy of our race, Germany, has been carrying on, by means of a swarm of official and secret agents, the work of degradation by means of which she reckoned on depriving the country of its fleet and preparing it for the loss of its political liberties and national independence. Happily, before succumbing to the repeated efforts of its enemies from without and within, the Greek people took courage and, in a supreme demonstration of the national conscience, resolved not to allow themselves to become enslaved.

Being unable to break the shackles of force and corruption, which precluded all national initiative within the limits of the established institutions, the more determined of the patriots fled and joined the populations which, far from the center, preserve more liberty of opinion and action. These patriots undertook to utilize the living forces of Hellenism in order to form an army

destined to liberate the occupied parts of the national territory and, while rehabilitating the compromised national honor, to show that Hellenism was still alive to its duties and its destinies. The civilized world has given a sympathetic welcome to this revolt of the Greek soul.

The Government established at Saloniki, recognized as a power de facto, set resolutely about its task, and, with the material and moral aid of the protecting powers, Greece began the realization of her military plan. At a moment when the first units of her army which have been sent to the front are about to enter into a contest with the enemies of Hellenism, the Provisional Government thinks it right to bring to the knowledge of the belligerent States, of which it has become the ally, and of the neutral States, whose sympathy it desires, the fact that from this day it considers itself in a state of war with Bulgaria for having attacked Serbia, Greece's ally, and invaded, in spite of her promises, the national territory; and with Germany for having incited and aided Bulgaria to fight against Serbia, and to act against Greece; for having violated the guarantees she gave to the Greek Government with regard to the towns of Seres, Drama, and Kavalla; for having extended to Greek maritime commerce in Greek territorial waters, without plausible reason or previous warning, the criminal attempts of submarines, and for having cynically declared that she intended to persevere in these acts of destruction of defenseless vessels, and the cowardly murder of innocent passengers; and for having, finally, undertaken to demoralize, humiliate, and divide the Greek people to the detriment of their honor and their national interests.

Not being able to send a direct notification of the present declaration of war to the Governments of the Kingdom of Bulgaria and the German Empire, the Provisional Government asks the allied Governments to be good enough to communicate it to them in its name by any means at their disposal.

Note breaking diplomatic relations with Germany, June 30, 1917.¹

[London Times, July 3, 1917, p. 7d.]

Greek chargé d'affaires to German foreign office.

In consequence of the happily effected union of the two parties in Greece which had hitherto been separated, and in view of the

¹ "King Alexander called upon Venezelos to assume the premiership, and on June 29 it was announced that diplomatic relations had been severed with Germany, Austria-Hungary, Bulgaria, and Turkey. No declaration of war was issued, but it was announced on July 2 that the Government considered that it had assumed the declarations of the provisional government of Saloniki and that therefore a state of war with Germany and Bulgaria already existed." (*American Year Book*, 1917, p. 63.)

fact that several Greek regiments are taking part in the hostilities on the Balkan front, the Greek Government considers that it is no longer possible to maintain official relations with the German Government. (Same *mutatis mutandi* to Austro-Hungarian Government.)

GUATEMALA.

Notification of breaking diplomatic relations with Germany, April 28, 1917.¹

Foreign office to M. Mendez, Guatemalan Minister to the United States.

The Government of Guatemala to-day broke off relations with the German Empire, handing passports to Minister Lehmann and canceling the exequaturs of the German consuls accredited to Guatemala. Advise the American Government.

Minister Mendez accompanied the dispatch from his Government by the following:

"In communicating the action of my Government to your excellency, I take pleasure in reiterating that Guatemala from the first has adhered to and supported the attitude of the United States in the defense of the rights of nations, the liberty of the seas and of international justice, and that it has always considered itself in unity with your great Nation in the lofty principles which it has so wisely proclaimed for the good of humanity.

"Therefore, Guatemala takes the greatest pleasure in offering to the United States of America her territorial waters, her ports and railways, for the use in common defense, as also all elements which may be available for the same purposes."

HAITI.

Neutrality regulations, October 3, 1914.

SECRETARY OF STATE FOR FOREIGN RELATIONS.

By reason of the declaration of neutrality² published in the *Moniteur* of August 12 last, it is recalled that all those who reside in the territory of the Republic, functionaries, employees or others, are obliged to observe the greatest moderation in reference to the European war, to emit in public no opinion and to do no act in favor of or against any of the belligerent powers.

¹ "GUATEMALA CITY, April 22, 1918.

The National Assembly, at its session to-day, declared the Republic of Guatemala to occupy the same position toward the European belligerents as does the United States." (Associated Press dispatch.)

² International Law Topics, 1916, p. 58.

The Government of the Republic will not tolerate any departure from the principles flowing from neutrality.

PORT-AU-PRINCE, October 3, 1914.

ITALY.

WAR DECLARATIONS.

Declaration of war against Austria-Hungary, May 23, 1915.¹

[2nd Austro-Hungarian Red Book.]

No. 204.—Baron Burián to Baron Macchio.

[Telegram.]

VIENNA, May 23, 1915.

The Duke of Avarna this afternoon handed to me the following declaration of war:

[Translation from the French.]

In compliance with the orders of his noble Sovereign the King, the undersigned Royal Italian ambassador has the honor to communicate the following to his excellency the Austro-Hungarian minister of foreign affairs:

On the 4th of this month the Austro-Hungarian Government was informed of the grave reasons for which Italy, confident of being in the right, declared that her alliance with Austria-Hungary was null and void, and without effect in future, since this alliance had been violated by the Austro-Hungarian Government, and that Italy resumed her full freedom of action. Fully determined to protect Italian rights and interests with all the means at its disposal, the Italian Government can not evade its duty to take such measures as events may impose upon it against all present and future menaces to the fulfillment of Italy's national aspirations. His Majesty the King declares that from tomorrow he will consider himself in a state of war with Austria-Hungary.

The undersigned has the honor at the same time to inform his excellency the minister of foreign affairs that to-day the Austro-Hungarian ambassador in Rome will receive his passports, and he would be grateful if his excellency would hand him likewise his own passports.

¹ San Marino is reported to have declared war upon Austria-Hungary June 3, 1915. (American Year Book, 1915, p. 813; Am. Jour. Int. Law, 9: 27.)

Notification of war with Austria-Hungary, May 23, 1915.¹

[Italian Green Book.]

No. 77, Annex 2.—Note of Baron Sonnino, Italian Foreign Minister.

[Communicated to Italian representatives abroad and to foreign Governments on May 23, 1915.]

ROME, May 23, 1915.

A clear proof of the eminently conservative and defensive character of the triple alliance is to be found in the letter and spirit of the treaty, and in the policy clearly manifested and confirmed by the official acts of the ministers who created the alliance and who were responsible for its renewals.

Italian policy has ever been inspired with the ideals of peace. Austria-Hungary, in provoking a European war, in refusing to accept Serbia's reply which gave Austria-Hungary all the satisfaction which she could legitimately demand, in refusing to listen to the conciliatory proposals which Italy had made in conjunction with other powers in order to preserve Europe from an immense conflict, which would drench it in blood and pile up ruins on a scale hitherto unknown and undreamed of—Austria-Hungary tore up with her own hands the treaty of alliance with Italy, which, so long as it was loyally interpreted other than as an instrument of aggression against others, had been a valuable factor in eliminating and settling disputes, and in securing for many years to come the inestimable benefits of peace.

The first article of the treaty reaffirmed the logical and general principle of every treaty of alliance, namely, the obligation to exchange views on political and economic questions of a general nature which might arise. It followed that neither contracting party was at liberty to undertake, without previous mutual agreement, action by which the other contracting parties might incur any obligation under the treaty of alliance, and in any way affect their most important interests. Austria-Hungary, by sending her note of July 23, 1914, to Serbia without previously consulting Italy failed in this duty; Austria-Hungary thus violated unquestionably one of the fundamental clauses of the treaty. Austria-Hungary was all the more under the obligation to consult Italy first, inasmuch as her uncompromising action against Serbia had created a situation directly tending to provoke a European war, and as early as the beginning of July, 1914, the Royal Government, who were anxious in regard to the way things were shaping at Vienna, had repeatedly counseled moderation, and had warned the Imperial and Royal Government of the possible danger of a general European crisis.

¹ See also Journal Officiel, May 27, 1915, p. 3335.

The action taken by Austria-Hungary against Serbia was, moreover, directly in opposition to Italian general political and economic interests in the Balkan Peninsula. It is not possible that Austria could have thought that Italy would remain indifferent to any diminution of Serbian independence. Our warnings had not been lacking on this point. For many years Italy had from time to time warned Austria, in friendly but unequivocal terms, that she considered the independence of Serbia an essential factor in the balance of power in the Balkans, which Italy herself could never allow to be disturbed to her detriment. And this spirit was not only expressed in the private conversations of her diplomats, but her statesmen proclaimed it loudly and publicly in her Parliament.

When, in delivering an ultimatum to Serbia, Austria not only failed—in defiance of all custom—to consult us beforehand, but used every effort to conceal it from us, so that we only heard of it simultaneously with the public through the telegraphic agencies before we were informed diplomatically, she not only placed herself outside the alliance with Italy but showed herself an enemy of Italian interests.

It became clear to the Royal Government, from trustworthy information in their possession, that the whole trend of Austro-Hungarian action in the Balkans would lead to a very serious impairment of the political and economic position of Italy, because it aimed directly or indirectly at the subjugation of Serbia, the political and territorial isolation of Montenegro, and the isolation of Rumania and the diminution of her political importance. This impairment of Italy's position in the Balkans would have been brought about even if Austria-Hungary had had no idea of territorial aggrandizement. It is sufficient to remark that the Austro-Hungarian Government were under an express obligation to take Italy into consultation by virtue of a special article of the treaty of the triple alliance, which established the bond of a defensive agreement and the right to compensation among the allies in the case of the temporary or permanent occupation of any part of the Balkans. The Royal Government began conversations on the subject with the Imperial and Royal Government immediately at the beginning of hostile action by Austria-Hungary against Serbia, receiving, after some reluctance, an adhesion in principle.

Those conversations were begun immediately after July 23, with a view to giving to the treaty, which had been violated and therefore annulled by the action of Austria-Hungary, a new element of life, which could only be effected by the conclusion of new agreements.

Conversations were reopened on a rather more definite basis in the month of December, 1914. The royal ambassador at

Vienna then received instructions to inform Count Berchtold that the Italian Government considered it necessary to proceed without any delay to an exchange of ideas, with a view to negotiating with the Government on concrete points in order to clear up the whole situation arising out of the conflict provoked by Austria-Hungary. Count Berchtold refused at first, on the ground that he did not think it was necessary, in the present circumstances, to enter into negotiations. But in consequence of our reply, with which the German Government associated themselves, Count Berchtold subsequently informed us that he was ready to enter into the exchange of ideas which we had proposed.

We accordingly immediately set out the fundamental broad lines of our point of view, that is to say, we declared that the compensation that we had in mind as affording the basis of a possible agreement must envisage territories now under the domination of Austria-Hungary.

The discussions continued from month to month from the beginning of December until March, and it was not until the end of March that Baron Burian made us an offer of a zone of territory extending slightly to the north of the town of Trent. In return for this cession Austria-Hungary demanded from us in her turn numerous reciprocal engagements, including full and complete freedom of action in the Balkans.

It should be noted that the Austro-Hungarian Government did not contemplate that the cession of territory in the Trentino should be effected immediately, as we had demanded, but only at the end of the present war. We replied that we could not possibly accept the offer, and we formulated the minimum concessions that would be in any way consistent both with our national aspirations and with the improvement of our strategical position on the Adriatic. Such requirements included a somewhat larger district of the Trentino, a new district on the Isonzo, the special treatment of Trieste, the cession of some islands of the Curzolani Archipelago, a declaration of Austria's disinterestedness in Albania, and the recognition of our possession of Valona and the Dodëkanese.

All our requests met at first with a categorical refusal. It was only after another month of conversations that Austria-Hungary was induced to increase the zone of territory to be ceded in the Trentino, setting the limit at Mezzolombardo, but excluding Italian districts, as, for instance, the whole side of the Valley of Noce, the Val di Fassa, and the Val di Ampizzo, and leaving us a boundary which did not correspond in any way to strategical requirements. Moreover, the Austrian Government firmly adhered to their refusal to make any cession effective before the end of the war. The repeated refusals of Austria-Hungary were explicitly confirmed in a conversation between Baron Burian and

the royal ambassador at Vienna on April 29 last, the upshot of which was that the Austro-Hungarian Government, while admitting the possibility of recognizing to a certain extent our preponderant interest at Valona and the aforesaid cession of territory in the Trentino, persisted in giving a negative reply to almost all our other demands, and especially to those regarding the line of the Isonzo, Trieste, and the islands.

From the attitude adopted by Austria-Hungary from the beginning of December to the end of April it became quite clear that she was merely trying to temporize without achieving any definite results. In these circumstances Italy found herself face to face with the danger that all her aspirations, whether traditional or ethnical, and her desire for security on the Adriatic, would be lost forever, while on the other hand the European war menaced her highest interests in other seas.

Owing to this fact it became at once a duty and a necessity for Italy to recover the liberty of action which was her right, and to seek to preserve her interests by other means than those employed in the negotiations fruitlessly pursued for five months; and by other means than through the treaty of alliance, which by the action of Austria-Hungary had virtually been at an end since July, 1914.

It will not be inappropriate to observe that once the alliance had come to an end there was no longer any reason for the Italian people to maintain the attitude of acquiescence which had been dictated by their sincere desire for peace nor to repress any longer—as they had so long forced themselves to do—the indignation caused by the treatment to which the Italian population in Austria was subjected. It is true the treaty contained no formal provision for safeguarding the Italian language, traditions, or civilization in the regions inhabited by our compatriots in Austria-Hungary.

But since it was sought to give to the alliance an appearance of sincere peace and harmony, it is obvious that there was a moral obligation on the part of our ally to pay strict regard to and scrupulously to respect the vital interests involved for us in the racial distribution on the Adriatic coast.

As a matter of fact, the constant policy of the Austro-Hungarian Government aimed for many years at the destruction of Italian nationality and civilization along the coast of the Adriatic. It will only be necessary to give a few short instances of facts and tendencies already too well known to everyone; systematic substitution for officials of Italian nationality of officials of other nationalities; the importation of hundreds of families of different nationality; the creation at Trieste of cooperative societies of foreign workmen; the Hohenlohe decrees which aimed at excluding all Italian officials from the public life of Trieste; the denationaliza-

tion of the judicial administration; the question of the university, which formed the subject of diplomatic negotiations; the denationalization of the steamship companies; the action of the police and political trials tending to favor other nationalities at the expense of the Italians; the systematic expulsion of Italians, wholly unjustified and constantly increasing in number.

The unchanging policy of the Imperial and Royal Government toward the subject Italian population was not solely inspired by internal motives due to the existence of contending nationalities within the Austro-Hungarian monarchy, but appears, on the contrary, to have been caused in great part by a deep-rooted sentiment of hostility and aversion for Italy, which prevails in certain circles which are in close touch with the Austro-Hungarian Government, and which have a dominating influence on its decisions. From among many proofs of this which could be cited, it may suffice to mention that in 1911, while Italy was engaged in war with Turkey, the general staff at Vienna made preparations that grew more and more obvious for an attack upon us, and the military party made most active attempts to win over to its views the other factors responsible for the action of the monarchy.

At the same time the armed preparations on our frontier assumed an openly offensive character. The crisis came to a pacific solution, as far as can be judged, owing to the influence of external factors. But from that time onward we have remained under the impression that we might unexpectedly find ourselves exposed to armed menace whenever the party hostile to us might obtain predominance at Vienna. All this was known to Italy, but (as has been said before) a sincere desire for peace prevailed among the Italian people.

When new conditions came into existence Italy tried to see whether, even under such circumstances, it might be possible to find a more solid basis and a more durable guarantee for her treaty with Austria-Hungary. But her endeavors, conducted over a period of many months in constant accord with Germany, who agreed that negotiation was legitimate, were spent in vain. Hence Italy has found herself forced by the course of events to seek other solutions, and since the treaty of alliance with Austria-Hungary had already virtually ceased to exist, and now only served to cloak the real situation—one of continual suspicions and daily differences—the royal ambassador at Vienna was instructed to declare to the Austro-Hungarian Government that the Italian Government considered itself freed from any binding power of the treaty of triple alliance as far as Austria-Hungary was concerned. This communication was made at Vienna on May 4.

After this declaration on our part, and after we had been forced to proceed to the legitimate protection of our own interests, the

Notification of War with Turkey. 169

Imperial and Royal Government made new offers of inadequate concessions, which in no sense corresponded to the minimum demands of our former proposals. These offers could in no wise be accepted by us. The Royal Government, considering all that has been set forth above, strengthened by the votes of Parliament and by the solemn manifestations of the nation, has resolved to make an end of delays, and on this day has declared to the Austro-Hungarian ambassador at Rome, in the name of the King, that Italy considers herself in a state of war with Austria-Hungary from to-morrow, May 24. Instructions in the same sense were telegraphed yesterday to the royal ambassador at Vienna.

SONNINO.

Notification of war with Turkey, noon, August 21, 1915.¹

File No. 763.72/2052.

The Italian Ambassador to the Secretary of State of the United States.

[Translation.]

No. 2651.]

ITALIAN EMBASSY,
Beverly Farms, Mass., August 21, 1915.

MR. SECRETARY OF STATE: I have the honor by order of my Government to bring the following to your excellency's knowledge.

From the date of the signature of the treaty of peace of Lausanne, on October 18, 1912, the Ottoman Government has been violating that treaty and the violations have not ceased for an instant until now.

As a matter of fact the Imperial Government never adopted in earnest any measure to bring about the immediate cessation of hostilities in Lybia, as it was bound to do under its covenants solemnly entered into; and it did nothing toward the release of the Italian prisoners of war. The Ottoman soldiers remaining in Tripoli and Cyrenaica were kept there under command of their own officers, continuing to use the Ottoman flag, holding possession of their rifles and cannons. Enver Bey continued to direct in person the hostilities against the Italian Army until the end of November, 1912, and Aziz Bey did not leave those parts with 800 men of the regular forces until June, 1913. The way in which both these commanders were received on their return to Turkey is proof evident that their acts were fully assented to by the imperial authorities. After Aziz Bey's departure, on the other hand, officers of the Turkish Army continued to find their

¹ "The Royal Italian ambassador at Paris made known on the 29th August, 1915, that the Royal Italian Government declared war on Turkey on the date of Aug. 20, 1915, at 12 o'clock noon." (Journ. Off., Aug. 31, 1915, p. 6107.)

way into Cyrenaica. On this very day there are more than a hundred there whose names are known to the Italian Government. In April last 35 young men from Benghazi whom Enver Bey had taken to Constantinople against the will of the Royal Government and who were there admitted into the military academy were sent back to Cyrenaica without our knowledge. Again the King's Government positively knows, any declaration to the contrary notwithstanding, that the holy war was also proclaimed against the Italians in Africa in 1914. And a mission of Turkish officers and soldiers bearing gifts to the Senussi chiefs in rebellion against the Italian authorities in Lybia were recently captured by French warships.

The relations of peace and friendship which the Italian Government thought it could establish with the Ottoman Government after the treaty of Lausanne therefore never existed, through the latter's fault. And after every diplomatic representation against violations of the treaty had proved utterly useless there remained nothing for the Royal Government to do but to provide otherwise for the safeguard of the high interests of the State and the defense of its colonies against the persistent menace and the actual acts of hostility on the part of the Ottoman Government.

It became all the more necessary and urgent to reach a decision, as the Ottoman Government quite recently committed patent invasions of the rights, interests, and very freedom of Italian citizens in the Empire, the more energetic protests entered on this point by the King's ambassador at Constantinople being of no avail. In the presence of the tergiversations of the Ottoman Government on the specific point of letting Italian citizens freely depart from Asia Minor, these protests had, in these last few days, to assume the form of an ultimatum. On the 3d of the month the royal ambassador at Constantinople addressed by order of the Royal Government a note to the Grand Vizier setting forth the following four demands:

1. That the Italians be free to leave Beirut.
2. That the Italians in Smyrna, the port of Vourla being unavailable, be allowed to leave by way of Sigadjik.
3. That the Ottoman Government let Italians embark unmolested from Mersina, Alexandretta, Caiffa, and Jaffa,
4. That the local authorities in the interior stop opposing the departure of royal subjects proceeding to the coast, and, on the contrary, endeavor to facilitate their journey.

On the 5th of August, before the expiration of the term of 48 hours set in the Royal Government's ultimatum, the Ottoman Government, in a note signed by the Grand Vizier, accepted every point in the Italian demands. On the strength of such solemn declarations the King's Government arranged to send two ships to Rhodes with instructions to await orders to proceed and take

Notification of War with Germany, Aug. 28, 1916. 171

on board the Italian citizens, who for some time had been staying in the above-named ports of Asia Minor, until they could return home. But now it appears from reports of the American consular officers whom the United States Government has graciously authorized to assume the protection of Italian interests at various posts that the Turkish military authority at Beirut canceled on the 9th instant the permit to leave granted but a short time before. It was likewise canceled at Mersina. It was further announced that the Ottoman military authorities had opposed the embarkation of other Italians residing in Syria.

In the presence of this patent breach of categorical promises made by the Ottoman Government in consequence of the Italian Government's ultimatum the Royal Government has issued instructions to His Majesty's ambassador at Constantinople to deliver a declaration of war on Turkey. And the declaration of war was delivered this day at Constantinople to the Ottoman Government by the King's ambassador.

Accept, etc.,

V. MACCHI DI CELLERE.

Notification of a state of war with Bulgaria, October 19, 1915.

[Rev. Gén., Doc. 23 : 150.]

Bulgaria having opened hostilities against Serbia in allying itself with the enemies of Italy and in combating the allies, the Italian Government has, by order of the King, declared that a state of war exists between Italy and Bulgaria, October 19, 1915.

Notification of war with Germany, August 28, 1916.¹

The Italian Ambassador to the Secretary of State of the United States.

[Translation.]

ROYAL ITALIAN EMBASSY,
Beverly Farms, August 28, 1916.

MR. SECRETARY OF STATE: I have the honor to address the following communication to your excellency in the name of the King's Government:

Systematically hostile acts on the part of the German Government to the detriment of Italy have succeeded one another with increasing frequency, consisting in both an actual warlike participation and economic measures of every kind.

With regard to the former, it will suffice to mention the reiterated supplies of arms and of instruments of war, terrestrial

¹ See also *Journal Officiel*, Aug. 31, 1916, p. 7831.

and maritime, furnished by Germany to Austria-Hungary, and the uninterrupted participation of German officers, soldiers, and seamen in the various operations of war directed against Italy.¹ In fact, it is only thanks to the assistance afforded her by Germany in the most varied forms that Austria-Hungary has recently been able to concentrate her most extensive effort against Italy. It is also worth while to recall the transmission, by the German Government to Austria-Hungary, of the Italian prisoners who had escaped from the Austro-Hungarian concentration camps and taken refuge in German territory.

Among the measures of an economic character which were hostile to Italy it will be sufficient to cite the invitation which, at the instance of the imperial department of foreign affairs, was directed to German credit institutions and bankers to consider every Italian citizen as a hostile foreigner and to suspend payments due him; also the suspension of payment to Italian laborers of the pensions due them by virtue of the formal provisions of the German law.

The Government of His Majesty the King did not think that it could longer tolerate such a state of things, which aggravates, to the exclusive detriment of Italy, the sharp contrast between the *de facto* and the *de jure* situation already arising from the fact of the alliance of Italy and of Germany with two groups of nations at war among one another.

For these reasons the Royal Government has, in the name of his Majesty the King, notified the German Government through the Swiss Government that, as from to-day, August 28, Italy considers herself in a state of war with Germany.

Please accept, etc.,

MACCHI DI CELLERE.

BLOCKADES AND NAVIGATION RESTRICTIONS.

*Notification of declaration of blockade of Austria-Hungary and Albania, May 26, 1915.*²

[Journal Officiel, June 3, 1915, p. 3549.]

The Royal Italian Government, in view of the state of war existing between Italy and Austria-Hungary, considering that the

¹ In an opinion of the German Reichsgericht at Leipzig, shortly before the war, appears the statement: "Formally there is not a state of war between Germany and Italy, but it must be admitted nevertheless that Germany participates in the Austro-Italian War in consequence of the treaties existing between Austria and Germany. According to these treaties, in case Austria is obliged to send troops to other theaters of the war, Germany should fill the vacancies thus caused by means of proper forces." (Journal du droit international privé. (Clunet), 43: 1701.)

² "A dispatch from Vienna says that Austria-Hungary sent on June 9, 1915, to foreign powers a note protesting against the blockade of Albania

Austro-Hungarian naval authorities make use of some ports of the Albanian coast for clandestinely supplying their navy, declare that, starting from May 26:

1. The Austro-Hungarian coast, extending from the Italian frontier at the north to the Montenegrin frontier at the south, with all its ports, isles, harbors, roadsteads, creeks;

2. The coast of Albania, extending from the Montenegrin frontier at the north to and including Cape Kiephall¹ at the south will be held in a state of effective blockade by the Italian naval forces.

The geographical limits of the blockaded territory will be the following:

For the Austro-Hungarian coast: Northern limit, 45° 42' 50" north latitude and 13° 15' 10" east longitude (Greenwich); southern limit, 42° 6' 25" north latitude and 19° 5' 30" east longitude (Greenwich).

Vessels of friendly or neutral powers will have a time, which will be fixed by the commander in chief of the Italian naval forces, after the date of the declaration of blockade to freely leave the blockaded zone.

All vessels which, in violation of blockade, attempt to cross or have crossed the barred line, established between the Cape of Otrante and the Cape of Kiephall will be proceeded against according to the rules of international law and to treaties in force.

Notification of declaration of blockade of Albania, May 30, 1915.

[Rev. Gén., Doc. 22: 215. See also London Gazette, June 4, 1915, p. 5386.]

The Royal Government declares that the blockade of the coast of Albania which, by the declaration of May 26, was established from Montenegro at the north to Cape Kiephall at the south is

by Italy and declaring that this blockade is contrary to the sovereign rights of a State whose neutrality Italy expressly recognized at the conference of ambassadors at London in 1913. The blockade is also contrary to the first article of the Declaration of London of Feb. 26, 1909, since the Austrian Army and Navy do not occupy a part of Albania, nor do they use the Albanian ports as bases of supply for the Austrian Navy. Finally, the blockade is not valid because it is contrary to the Declaration of London that the Austro-Hungarian local authorities have not received notification of the blockade." (London, June 12, 1915, Clunet. 42: 266.)

¹ "The blockade of the coast of Albania by Italy, south to the Cape of Kiephall, has been considered, in the midst of Greek politics, as being the result of an error. In effect it would result that all the coast of Chimara, which was made part of the Epire if the north, actually occupied by Greece with the assent of the powers, would be blockaded. The territory to the north of Epire enjoyed, by the very fact of its occupation by Greek troops, the same neutrality as the Hellenic kingdom and can not consequently be submitted to any blockade." (Temps, May 30, 1915; Rev. Gén., Doc. 22: 215.) See following text.

reduced from the 30th May, from the same (northern limits) to Aspri Ruga.

Consequently the geographic limits of the blockade of Albanian territory are the following: Northern limit, $41^{\circ} 52'$ north latitude and $19^{\circ} 22' 40''$ east longitude (Greenwich); southern limit, $40^{\circ} 9' 36''$ north latitude, $19^{\circ} 35' 45''$ east longitude (Greenwich). The new barred line, established between the Cape of Otrante and Aspri Ruga will form the line of blockade, with all the effects of the declaration of May 26, 1915.

The period conceded to vessels of friendly and neutral powers to leave the blockade zone has been fixed by the commander in chief of the Italian naval forces at 10 days from the date of the declaration of blockade.

Notification relating to navigation of the Strait of Messina, May 30, 1915.

[Journal Officiel, June 1, 1915, p. 3518.]

Navigation in the Strait of Messina is forbidden three-quarters of an hour after sunset until a half hour before sunrise.

Navigation is permitted in the day in clear weather; under reservation of the prescriptions in force in reference to war vessels, torpedo boats, and submarines of the national or allied navies, it is ordered that all national, allied, and neutral merchant vessels await authorization before navigating the strait, vessels coming from the north to stop on the meridian of Forte-Apulia, at least 3 miles away, and to exchange signals with the semaphore; those coming from the south to stop on the meridian of Cape Dell Armi and to observe the same prescriptions.

Notification, blockade of the Adriatic, July 6, 1915.

[London Gazette, July 23, 1915, p. 7190; Journal Officiel, July 17, 1915, p. 4857.]

The secretary of state for foreign affairs has received from His Majesty's ambassador at Rome the following translation of a Royal decree, dated July 4, and published in the Italian Official Gazette of the 8th:

ARTICLE 1. The blockade declared by the Royal Government on the 26th and 30th May, is extended to the whole zone of the Adriatic Sea to the north of the Otrante-Aspri-Ruga (Strade Bianchi) line.

Consequently, the navigation in the Adriatic Sea to the north of this line by merchant ships of any nationality is forbidden.

ART. 2. The minister of marine or authorities delegated by him may, nevertheless, grant after necessary inquiries, special safe conduct to merchant ships desirous of proceeding to ports belonging to or occupied by Italy or Montenegro.

Vessels desirous of entering the Adriatic must proceed to Gallipoli (Apulia), where the safe conducts of entry must be obtained.

For leaving the Adriatic, vessels after having received permission at the port of departure must proceed to Bari, where they will be furnished with the safe conducts of departure.

Vessels provided with safe conducts must cross the blockade line, Otrante-Aspri-Ruga (Strade Bianchi) during daytime only. They must stop on that line at a distance not greater than 5 miles from the Italian shore, to be visited by the men of war destined for that purpose.

ART. 3. The rules laid down in our decree of June 13, 1915, No. 899, as well as any special regulations which the naval authorities may think fit to enforce on vessels entering or leaving the Adriatic, must be observed by all merchant vessels of whatever nationality navigating in the Adriatic, in the circumstances provided for in Article 2.

ART. 4. Vessels contravening the rules laid down in the preceding articles will be considered guilty of violation of blockade and are liable to capture and confiscation, together with their cargo, according to the regulations in force.

ART. 5. The present decree will come into force on July 6, 1915.

JAPAN.

Ultimatum to Germany, August 15, 1914.

[Official Japanese Documents; See also Austro-Hungarian Red Book No. 66.]

No. 3.—Telegram dispatched by the Imperial Japanese Government to the *chargé d'affaires ad interim* at Berlin on August 15, 1914.

You are hereby instructed to address to Herr von Jagow immediately on receipt of this telegram a signed note to the following effect:

The undersigned, *chargé d'affaires ad interim* of His Majesty the Emperor of Japan, has the honor in pursuance of instructions from his Government to communicate to his excellency, the minister for foreign affairs of His Majesty, the German Emperor to the following effect:

Considering it highly important and necessary in the present situation to take measures to remove all causes of disturbance to the peace of the Far East and to safeguard the general interests contemplated by the agreement of alliance between Japan and Great Britain in order to secure a firm and enduring peace in eastern Asia, which is the aim of the said agreement, the Imperial Japanese Government sincerely believe it their duty to give advice

176 *Japanese Proclamation of War, Aug. 23, 1914.*

to the Imperial German Government to carry out the following two propositions:

First.—To withdraw immediately from the Japanese and Chinese waters German men-of-war and armed vessels of all kinds and to disarm at once those which can not be so withdrawn;

Second.—To deliver on a date not later than September 15, 1914, to the Imperial Japanese authorities without condition or compensation the entire leased territory of Kiaochou with a view to eventual restoration of the same to China.

The Imperial Japanese Government announce at the same time that in the event of their not receiving by noon August 23, 1914, the answer of the Imperial German Government signifying unconditional acceptance of the above advice offered by the Imperial Japanese Government they will be compelled to take such action as they may deem necessary to meet the situation.

The undersigned, etc.

Proclamation of war with Germany, noon, August 23, 1914.¹

[Official Japanese documents.]

No. 1.—The imperial rescript issued at Tokio, August 23, 1914, 6 p. m.

We, by the grace of heaven, Emperor of Japan, seated on the throne occupied by the same dynasty from time immemorial, do hereby make the following proclamation to all our loyal and brave subjects:

We hereby declare war against Germany, and we command our army and navy to carry on hostilities against that Empire with all their strength, and we also command all our competent authorities to make every effort, in pursuance of their respective duties to attain the national aim by all means within the limits of the law of nations.

Since the outbreak of the present war in Europe, calamitous effect of which we view with grave concern, we on our part have entertained hopes of preserving peace of the Far East by the maintenance of strict neutrality, but the action of Germany has at length compelled Great Britain, our ally, to open hostilities against that country, and Germany is at Kiaochou, its leased territory in China, busy with warlike preparations, while its armed vessels cruising seas of eastern Asia are threatening our commerce and that of our ally. Peace of the Far East is thus in jeopardy.

¹ "The Imperial Government of Japan made known to the Government of the Republic, on August 23, 1914, that the council addressed by the Imperial Government to the German Government on the 15th of this month, having remained without reply, Japan is in a state of war with Germany from noon, August 23, 1914." *Journ. Off.*, Aug. 26, 1914, p. 7074.)

Accordingly, our Government and that of His Britannic Majesty, after full and frank communication with each other, agreed to take such measures as may be necessary for the protection of the general interests, contemplated in the agreement of alliance, and we on our part being desirous to attain that object by peaceful means commended our Government to offer with sincerity an advice to the Imperial German Government. By the last day appointed for the purpose, however, our Government failed to receive an answer accepting their advice. It is with profound regret that we, in spite of our ardent devotion to the cause of peace, are thus compelled to declare war, especially at this early period of our reign and while we are still in mourning for our lamented mother.

It is our earnest wish that by the loyalty and valor of our faithful subjects peace may soon be restored and the glory of the Empire be enhanced.

Notification, blockade of Kiao-Chau, August 27, 1914.

[London Gazette, Sept. 1, 1914, p. 6895.]

FOREIGN OFFICE, *August 29, 1914.*

The secretary of state for foreign affairs has received from his excellency the Japanese ambassador the text of a declaration issued on the 27th instant by the imperial Japanese naval authorities announcing the establishment on that date of a blockade of the whole of the littoral of the leased territory of Kiao-Chau.

The coast line affected extends from a point 120° 10' east and 35° 54' north to a point 120° 36' east and 36° 7' north.

A period of 24 hours was allowed within which vessels of allied or neutral states might leave the blockaded area.

Notification, raising of blockade of Tsing-Tao, November 10, 1914.

[Journal Officiel, Nov. 18, 1914, p. 8725; London Gazette, Nov. 17, 1914, p. 9397.]

The Imperial Government of Japan has made known that, in view of the occupation of Tsing-Tao, the blockade declared August 27, 1914, was raised on November 10, 1914.

LIBERIA.

Neutrality Proclamation, August 10, 1914.

A PROCLAMATION

BY THE PRESIDENT OF THE REPUBLIC OF LIBERIA.

Whereas the Government of the Republic of Liberia has been informed that a state of war exists in Europe in which the following powers are belligerents: Austria, Belgium, France, Germany, Great Britain, Russia, and Serbia; and,

Whereas the duty and interests of the Republic of Liberia require that it shall in all sincerity and good faith, adopt and maintain a neutral and impartial conduct toward the belligerent powers;

Now, therefore, I, Daniel Edward Howard, President of the Republic of Liberia, have seen fit to declare and by these presents do declare, the strict neutrality of the Republic of Liberia toward the aforesaid powers respectively, and I do hereby exhort and warn all citizens of the Republic of Liberia to carefully avoid all acts and proceedings whatever which may in any manner violate the neutrality above declared.

And I do hereby further make known that any citizen or resident whosoever within the jurisdiction of the Republic of Liberia shall render himself liable to punishment or forfeiture under the laws of nations by:

1. Committing, aiding, or abetting hostilities against any of the said powers or by carrying to any of the articles which are deemed contraband by the laws of nations;
2. Engaging or by aiding or abetting in the engagement of men on board the armed craft of any of such powers in Liberian waters;
3. Enlisting or entering upon any service whatsoever upon the armed craft of any such belligerent powers while in Liberian waters;
4. Retaining or assisting in retaining any person, or in contributing means, for procuring assistance to any of such belligerent powers;

Or by committing any act whatsoever which under the laws of nations would be deemed a violation of the neutrality herein proclaimed.

And I do further declare and order, in keeping with the laws of nations, that no person within the territory and jurisdiction of the Republic of Liberia shall take any part directly or indirectly in said war, but shall remain in peace with each of the subjects or citizens of said belligerent States, and shall observe a strict neutrality toward each and several of the subjects or citizens of said States and shall accord no privileges whatsoever to the one of such belligerents within the Republic of Liberia which in like manner may not be accorded to the other.

And I do further warn all citizens of the Republic of Liberia and all persons residing within our territory or jurisdiction that the violation of any of the above provisions will subject them to peril; and they can in no wise obtain any protection from the Government of the Republic of Liberia against the consequences of their actions.

In witness whereof I have hereunto set my hand and caused the seal of the Republic to be fixed. Done in the city of Monrovia

this 10th day of August, A. D. 1914, and of the Independence of the Republic the Sixty-eighth.

[L. s.]

D. E. HOWARD, *President.*

By the President:

JOSEPH J. SHARP,

Acting Secretary of State.

Proclamation prohibiting trade with belligerent powers, June 20, 1916.

A PROCLAMATION

BY THE PRESIDENT OF LIBERIA.

Whereas by proclamation dated August 10, A. D. 1914, the Government of Liberia did proclaim its neutrality in the great European war and did therein enumerate certain acts which being committed would constitute a breach of neutrality; and

Whereas the Government of this Republic has endeavored by every means consistent with its honor and its international obligations to preserve inviolate and to observe strictly its said public declaration of neutrality; and

Whereas the course of events during the said war as they affect the Republic of Liberia has rendered necessary an addition to the list of acts prohibited to citizens and residents within the Republic during the present European conflict, the commission of which shall constitute a breach of neutrality.

Therefore I, Daniel Edward Howard, President of the Republic of Liberia, by virtue of constitutional authority in me vested, do hereby notify to all persons interested in the premises that from and after the date of these presents—

(a) It is prohibited to any citizen of Liberia for the duration of the European war to import or cause to be imported, export or cause to be exported, either directly or indirectly, personally or by another, any article or articles of commerce or merchandise whatever, for and in behalf of any citizen or subject of either of the belligerent States, or to authorize or permit the use of his name for the purpose and in the behalf hereinbefore mentioned.

(b) It is further declared prohibited to any citizen of Liberia for the period aforesaid to act as the commercial agent of any subject, firm, or business house of the nationality of any of the belligerent States.

(c) It is also prohibited to any citizen, subject, firm, or business house of any of the belligerent States, or to any agent of such firms or business houses resident in Liberia, for the said period, to import or cause to be imported, to export or cause to

180 *Liberian Note Breaking Diplomatic Relations.*

be exported, either directly or indirectly, personally or by another, any merchandise or article of commerce in the name of or under cover of the name of a Liberian citizen.

And I do enjoin upon all citizens of the Republic of Liberia, and upon all other persons resident within the borders of the same, a strict observance of the provisions of this proclamation. Any person violating the provisions hereof shall be deemed guilty of a breach of neutrality and shall be subject to imprisonment for a period not exceeding two years or to a fine not exceeding \$5,000 and to confiscation of the goods so imported or sought to be exported.

The bona fides of every claimant, shipper, importer or exporter, consignee or consigner, shall be established by affidavit, and no delivery order or shipping permit shall be issued by the customs officials until they have been fully satisfied by the oath or affidavit of a shipper, consignee, or claimant that goods claimed have not been imported nor attempted to be shipped in violation of provisions of this proclamation.

Every false declaration in the premises shall subject the affiant to the penalty prescribed by this proclamation and in addition thereto to prosecution for perjury.

Given under my hand and seal of this Republic at the city of Monrovia this 20th day of June, A. D. 1916, and of the Republic the sixty-ninth.

[L. s.]

D. E. HOWARD.

By the President:

C. D. B. KING,

Secretary of State.

Note breaking diplomatic relations with Germany, May 5, 1917.¹

[United States Official Bulletin, No. 51, p. 4.]

Mr. King, Liberian Secretary of State, to the German Consul at Monrovia.

MAY 5, 1917.

SIR: As the policies of a nation must always be adjusted to meet new conditions affecting its vital interests, as they arise from time to time, so the transpiring of certain events, in connection with the great European war which has staggered humanity in its ruthless operations and stupendous financial output, have rendered necessary a change of Liberia's attitude of strict neutrality, hitherto assumed and consistently maintained. I refer to the new German submarine program, drawn up by the Imperial German Government and put into execution on the 1st day of

¹Liberia declared war upon Germany Aug. 4, 1917, United States Official Bulletin No. 76, p. 4.

February of the present year, the detailed operations of which you are very well conversant with and informed.

While Liberia has endeavored to stand aloof from a conflict, the original causes of which were of purely European concern and interest, yet the method adopted by the Imperial German Government and its allies to vindicate what they conceive to be their national rights and honor and to bring to their arms a speedy and successful victory by such means as the sinking of unarmed ships of their enemies and neutrals without warning, the bombardment of undefended towns and villages, and the violation of the rights of small neutral States, are such flagrant violations of the rules of civilized warfare as to justly create on the part of Liberia grave apprehensions and fears of the eventual permanent establishment of the doctrine of "might" over "right" in the realms of international relations, which doctrine, if allowed to obtain, can only result in the complete subjugation and elimination from the sisterhood of nations of all small and weak States.

Hence the Government and people of Liberia can not any longer, in their own interest, continue to view with indifference and unconcern the present world's cataclysm, especially since the new German submarine program seriously threatens the lives of Liberian citizens traveling on the high seas as passengers and crew on allied or neutral ships.

Although Liberia is fully conscious of her utter inability to enforce upon any of the belligerent nations respect and due regard for the rights and safety of her citizens, yet that fact will not deter her from protesting, by the most effective means at her disposal, against any attempt to infringe upon her sacred international rights—in spite of the veiled threats made by the acting Imperial German consul in his published statement of "war news," issued and circulated in this city, under the official seal of his Imperial Government on the 21st of April, to the effect that powers of the third and last importance will be held to strict accountability for all damage done to German interest, the bill for which will be presented and payment thereof enforced after the happy issues of the war.

The Liberian Government is therefore constrained, as an earnest protest against the continued enforcement of the new German submarine program, which threatens the lives of Liberian citizens, as well as grave financial and economic embarrassments to the Republic, to sever relations with the Imperial German Government, and to revoke the exequatur granted to Germany's official representative at this capital.

With assurances of my high esteem and profound respect, I have the honor to subscribe myself.

Your obedient servant,

C. D. B. KING,
Secretary of State.

LUXEMBURG.

Notification of violation of neutrality by Germany, August 2, 1914.

[French Yellow Book; see also British White Paper, No. 147.]

No. 131.—M. Eyschen, Minister of State for Luxemburg, to M. René Viviani, President of the Council, Minister for Foreign Affairs.

LUXEMBURG, August 2, 1914.

I have the honor to bring to your excellency's notice the following facts:

On Sunday, August 2, very early, German troops, according to the information which has up to now reached the Grand Ducal Government, penetrated into Luxemburg territory by the bridges of Wasserbillig and Remich, and proceeded especially toward the south and in the direction of Luxemburg, the capital of the Grand Duchy. A certain number of armored trains with troops and ammunition have been sent along the railway line from Wasserbillig to Luxemburg, where their arrival is immediately expected. These occurrences constitute acts which are manifestly contrary to the neutrality of the Grand Duchy as guaranteed by the treaty of London of 1867.¹ The Luxemburg Government have not failed to address an energetic protest against this aggression to the representatives of His Majesty the German Emperor at Luxemburg. An identical protest will be sent by telegraph to the secretary of state for foreign affairs at Berlin.

The Minister of State, President of the Government.

EYSCHEN.

MEXICO.

Declaration of foreign office of neutral attitude toward war, March 17, 1917.

In view of the answer of the United States to the note which the First Chief directed to the Governments of the neutral countries in favor of peace, the Government of Mexico proposes to cooperate with its efforts to avoid that any of the countries of this continent take part in the European conflict, and will continue its efforts with neutral countries with the object of securing European peace.

MONTENEGRO.

Notice of declaration of war against Austria, August 7, 1914.

[London Times, Aug. 10, 1914, p. 6, d.]

VIENNA, August 7, 1914.

It is semiofficially announced that the Government of Montenegro has informed the Austro-Hungarian minister in Cetinje that they consider themselves in a state of war with Austria.

The minister has left Cetinje.—REUTER.

¹ British and Foreign State Papers, 57: 32.

Declarations of Netherlands and Norway. 183

Notice of breaking diplomatic relations with Germany and opening of hostilities with Austria-Hungary, August 9, 1914.

[London Times, Aug. 12, 1914, p. 6, c.]

NISH, August 9, 1914.

The Montenegrin Government has handed the German minister his passports, and hostilities with Austria began yesterday. The Austrian fleet has bombarded Antivari.

NETHERLANDS.

Declaration of neutrality, April 17, 1917.

ROYAL LEGATION OF THE NETHERLANDS,
Washington, D. C., April 17, 1917.

MR. SECRETARY OF STATE: By order of the minister of foreign affairs at The Hague, I have the honor to inform your excellency that in view of the state of war existing between the United States of America and Germany, the Royal Government of the Netherlands will observe strict neutrality.

I avail myself of this opportunity to renew to your excellency the assurance of my highest consideration.

W. L. F. C. DE RAPPAUD.

NORWAY.

Declaration by Norway, Denmark, and Sweden in reference to neutrality rules, December 21, 1912.

DECLARATION.

The Governments of Norway, Denmark, and Sweden;

Having in view the fixing of similar rules of neutrality in accord with the conventional provisions signed at The Hague, have undertaken negotiations which have resulted in an agreement on all the points of principle as is proved by the annexed texts of rules adopted separately by the three respective Governments;

And appreciating at its just value the importance that this agreement so happily existing should be maintained equally in the future;

Have agreed that none of the three Governments will make any changes in the approved rules by themselves, without having first advised the two others sufficiently early to permit an exchange of views in the matter.

In faith of which the undersigned duly authorized to this end by their Governments have signed the present declaration and have attached their seals.

Made in triplicate at Stockholm the 21st December, 1912.

BRUNCHORST. [L. S.]

OTTO SCAVENIUS. [L. S.]

ALBERT EHRENSVARD. [L. S.]

Rules of neutrality, established by Royal Ordinance, December 18, 1912.

We, Haakon, Norwegian King, make it known that it has pleased us,

To order the following in order to protect Norway's neutrality in case of war between foreign powers:

CHAPTER I.

War vessels of belligerent powers are permitted to enter ports and roadsteads as well as other territorial waters of the kingdom. At the same time admission is subject to the exceptions, restrictions, and conditions which follow:

1. (a) It is forbidden belligerent war vessels to enter the ports and roadsteads of war, which have been proclaimed as such.

(b) It is also forbidden such vessels to enter inner territorial waters whose entrances are closed by submarine mines or other means of defense.

(c) The King reserves the right to forbid under the same conditions to the two belligerent parties, access to other Norwegian ports or roadsteads and other defined parts of the interior Norwegian waters, when special circumstances demand and for safeguarding the sovereign rights of the kingdom and to maintain its neutrality.

(d) The King also reserves the right to forbid access to ports and roadsteads of the kingdom to belligerent war vessels which have neglected to conform to rules and prescriptions promulgated by the competent authorities of the kingdom and which have violated its neutrality.

2. (a) Belligerent war vessels are bound to respect the sovereign rights of the kingdom and to abstain from all acts which would be contrary to its neutrality.

(b) All acts of hostility, including capture and the right of visit in reference to neutral vessels as well as vessels under the enemy flag, are strictly forbidden in the territorial waters of the

kingdom. If it happens that a vessel has been captured in the territorial waters of the kingdom the prize should be released with its officers, crew, and cargo.

3. The simple passage of war vessels and of the prizes taken by belligerents through the territorial waters of the kingdom is permitted only to the extent to which access to these waters is accorded to them. (See section 1 above.)

4. (a) It is forbidden belligerent war vessels to remain more than 24 hours in ports, roadsteads or other territorial waters of the kingdom, except in case of damage, rough weather, or in consequence of rules (c) and (d) below. In these cases the vessels must leave as soon as circumstances permit. The rule in reference to the limitation of sojourn does not apply to war vessels exclusively intended for religious, scientific, or philanthropic purposes nor to military hospital ships.

(b) The maximum number of war vessels belonging to one belligerent party which may be at the same time in a port or roadstead of the kingdom is three.

(c) If war vessels of both belligerent parties are at the same time in a port or roadstead of the kingdom, there must elapse at least 24 hours between the departure of the war vessels belonging to one of the belligerent parties and those of the other, the order of departure being determined by the order of arrival, unless the vessel which arrived first is in the position where the prolongation of the duration of its sojourn is permitted.

(d) It is forbidden a belligerent war vessel to leave a port or roadstead of the kingdom less than 24 hours after the departure of a merchant vessel flying the enemy flag. It is the duty of the authorities concerned to arrange the departure of the merchant vessel so that the war vessel is not unnecessarily detained.

5. (a) In the ports or roadsteads of the kingdom, belligerent war vessels can repair their damages only to the extent necessary for the security of navigation, and they can not increase their military force in any manner whatsoever. The authorities of the kingdom will indicate the nature of the repairs to be made. The repairs should be completed as rapidly as possible.

(b) It is forbidden belligerent war vessels to employ the ports, roadsteads, and territorial waters of the kingdom in order to renew or increase their military equipment or armament or to complete their crews.

(c) Belligerent war vessels can revictual in the ports or roadsteads of the kingdom only sufficiently to complete their normal supplies in time of peace.

(d) In the ports and roadsteads of the kingdom, belligerent war vessels are permitted to take on fuel only in quantities necessary to fill the real coal bunkers, including fuel tanks. Having taken on fuel in a port or roadstead of the kingdom they can not

renew their fuel supplies in its ports or roadsteads until after three months.

6. (a) Belligerent war vessels must employ licensed pilots of the kingdom on entering and leaving ports and roadsteads, but they can not employ the said pilots further except in case of distress, to escape an imminent danger of the sea.

(b) Sanitary, pilotage, customs, port and police regulations of the kingdom must be observed and respected by the belligerent war vessels.

CHAPTER II.

Privateers will be admitted neither in the ports and roadsteads nor in the territorial waters of the kingdom.

CHAPTER III.

1. It is forbidden to take prizes into ports or roadsteads of the kingdom except in the event of unseaworthiness, rough weather, or lack of fuel or provisions. A prize which has been brought into a port or roadstead of the kingdom for one of these causes must leave as soon as circumstances allow it.

2. No prize court can be established by a belligerent either on the territory or on board a vessel in the territorial waters of the kingdom. It is also forbidden to sell prizes in any of the ports or roadsteads of the kingdom.

CHAPTER IV.

1. It is forbidden belligerent powers to use ports or waters of the kingdom as bases for naval operations against their enemies.

It is especially forbidden to establish on the territory or in the territorial waters of the kingdom radio stations or any apparatus designed to serve as a means of communication with the belligerent forces whether on land or sea.

2. It is forbidden belligerents to organize fuel depots on either the territory of the kingdom or on vessels stationed in its territorial waters.

3. It is forbidden, within the jurisdiction of the kingdom, to equip or arm any vessel intended to cruise or to assist in belligerent operations against a power at peace with the kingdom. Equally forbidden is the departure from its jurisdiction of every vessel intended to cruise or to assist in belligerent operations and which have been adapted in whole or in part for war use within the said jurisdiction.

Given at Kristiania, 18th December, 1912.

Under our hand and confirmed by our seal,

HAARON. [L. S.]
JENS BRATLIE.
HESSELBERG.

Regulations established by royal ordinances of January 20, 1913, August 21 and September 11, 1914, concerning the admission of foreign warships into Norwegian ports and waters.

1.

No foreign war vessels except those mentioned in article 4 can enter the Norwegian war ports or naval stations without having obtained the authorization of His Majesty the King or of the persons authorized by him to this effect.

It is necessary to indicate in advance the types and names of war vessels for which the authorization to enter Norwegian war ports or naval stations is solicited, as well as the date of arrival and duration of sojourn.

Without special authorization in extraordinary cases the sojourn in a war port or naval station can not exceed eight days, and in general no more than three war vessels belonging to the same nation will be permitted to sojourn simultaneously in the same port.

2.

The following ports of the Norwegian coast are at present considered war ports or naval stations:

The Kristiania Fjord with the waters inward from the line formed by Tönsberg Tönde, the Faerder beacon, the Torbjörnskaer beacon, Vikertangen to Asmalö, Askholm to the coast east of Skjebergkilen.

The port of Kristiansand with the waters inward from Fredriksholm, the Oxö beacon, the Grönningen beacon, the Torsö beacon.

The port of Bergen and the entries leading from it inward to the line formed by Fønnes (coast east of Lygrefjord) the Hellisö beacon, Tekslen (coast north of Korsfjord), the church of Lysekloster.

The Trondhjemsfjord inward to the Agdenaes beacon and from Hovdetaen to Örlandet.

The port of Vardø.

3.

Access to all the other ports and anchorage of the kingdom is free to foreign war vessels after preliminary warning unless a contrary decision is made in a special case. At the same time the number of such vessels belonging to the same nation and sojourning in the same port should not exceed three and the duration of their sojourn should not exceed 14 days.

There will be no departure from the prescriptions of this article unless following authorization obtained by means of diplomacy.

4.

The following are exempted from the general rules contained in articles 1 and 3:

(a) Every war vessel on which the Chief of State of a foreign nation is traveling and the vessels which convoy it.

(b) War vessels which find themselves in immediate danger from the sea, which are always permitted to have recourse to the ports of the kingdom.

(c) War vessels intended for or engaged in the surveillance of fisheries or of hydrographic work and other scientific objects.

5.

In every Norwegian port where a maritime authority is established, foreign war vessels coming in are bound to anchor at the place designated by the maritime authority in question (the captain of the port).

Every authorization accorded to foreign war vessels to sojourn in a Norwegian port or anchorage can be revoked at will.

Every foreign war vessel finding itself in a Norwegian port or anchorage, even if according to precedents it would be authorized to remain, is bound, if there is a request, it matters not when, to raise anchor and leave the port before the expiration of six hours or to change its anchorage conformably to the directions given.

6.

It is forbidden persons belonging to foreign war vessels sojourning in Norwegian ports or territorial waters to be, without special permission, in places or near places where there are batteries, fortifications, or other military establishments as well as places inclosed by the military authorities.

It is forbidden to carry on debarkation practice and practice of firing cannon, guns, or torpedoes. The crew in landing should be unarmed, although the officers, underofficers, and midshipmen can carry the arms which form part of their uniform.

7.

It is forbidden persons belonging to foreign war vessels to prepare, multiply, or publish plans or sketches of ports or territorial waters of the kingdom, even to proceed to measurements and soundings other than those recognized as necessary for assuring navigation in the ordinary route.

Furthermore, it is forbidden them to prepare, multiply, or publish plans, drawings, sketches, photographs, or descriptions of Norwegian fortifications or of establishments, etc., appurtenant thereto. (See art. 3 of the law on military secrets of Aug. 18, 1914.)

8.

The commander of all foreign war vessels is bound to conform to the sanitary, customs and pilotage and port rules promulgated by the competent authorities.

9.

The preceding rules will remain in force until a contrary decision by His Majesty the King.

Royal proclamation of August 1, 1914, in regard to the declaration of neutrality on the occasion of the war between Austria-Hungary and Serbia.

War having broken out between Austria-Hungary and Serbia, it has been decided on behalf of Norway to observe complete neutrality during the war.

Royal proclamation of August 4, 1914, concerning the neutrality of Norway.

It is decided on behalf of Norway that complete neutrality shall be observed during the existing war between foreign powers.

NORWAY.

Communiqué by Norway and Sweden concerning mutual action of the two countries for the maintenance of neutrality, August 8, 1914.

War having broken out among several foreign powers, the Norwegian and Swedish Governments have mutually declared their firm intention to maintain, during the state of war thus occurring, each for itself and to the final extremity, their neutrality in reference to all the belligerent powers. The two Governments have besides exchanged formal assurances with a view to rendering it impossible that the state of war existing in Europe should result in one of the kingdoms taking hostile measures in reference to the other.

Law relative to defense secrets, August 18, 1914.

We, Haakon, King of Norway, make known that the decision of the Storting of August 18, 1914, has been laid before us, as follows:

SECTION 1. The King, or anyone empowered by him, may, for purposes of defense, prohibit access—

1. To fortresses, ships of war, ports, signal stations, or buildings or premises where objects connected with the defense of the realm are placed, being constructed, or stored.

2. To determined areas.

3. To be present at military exercises or experiments.

Anyone who may violate such prohibition, or assist in doing so, shall be punished by fine or arrest or imprisonment not exceeding one year in case a more severe punishment shall not apply to the act.

SEC. 2. If anyone, by untrue statements as to name, nationality, position, or occupation, or by any other false representation, has secured, or has endeavored to secure, for himself or others, access to fortresses, ships of war, ports, signal stations, or buildings or premises where objects connected with the defense of the realm are placed, being constructed or stored, or to be present at military exercises or experiments, he shall be punished by fine or arrest or imprisonment not to exceed two years, in case a more severe punishment shall not apply to the act.

SEC. 3. By fine or arrest or imprisonment not to exceed one year—in case a more severe punishment shall not apply to the act—shall be punished:

1. Anyone who, without the permission of the King or some one empowered by him, may take, copy, or publish maps, eye sketches, sketches, photographs, or descriptions of fortresses or areas pertaining thereto.

2. Anyone who may take, copy, or publish maps, eye sketches, sketches, photographs, or descriptions which may prove serviceable to the enemies of the realm in case of war, where the circumstances are such that there is no ground to believe that the act was done for a lawful object.

3. Anyone who, without the permission of the King or of the interested department of government, may take, copy, or publish maps or sketches of the Kingdom's ports, fjords, or entrances or of any part of the Norwegian sea territory, or who undertakes measurements or other soundings than those which are necessary for the security of ordinary navigation.

4. Anyone who may attempt or assist in the above acts.

SEC. 4. If anyone shall assist in the gaining of information which has for its object the espionage on behalf of a foreign State, he shall be punished with fine or arrest or imprisonment not to exceed one year.

SEC. 5. If anyone is found, under circumstances which arouse suspicion that he has acted, or intends to act, in a way punishable under this law, under the criminal law, sections 90 or 91, or under the law in regard to the State monopoly of the transmission of information by the use of telegraph lines and the like means, of April 29, 1899, section 6, and the supplemental law of July 24, 1914, section 3, and if he, at the request of an official in the public service or a military official in the service, refuses to give his name, nationality, position, occupation, or residence,

or if he gives false information on these matters either on his own behalf or on that of others, he shall be punished with fine or arrest or imprisonment not to exceed six months, in case a more severe punishment shall not apply to his act.

SEC. 6. If anyone by agreement or in any other way endeavors to prepare an act punishable under sections 90 or 91 of the criminal law, or under sections 1, 2, 3, or 4 of the same law, or assists thereto, he shall be punishable with fine or with arrest or imprisonment not to exceed one year, in case a more severe punishment shall not apply to his act.

SEC. 7. If anyone gives or assists in giving public information which he knows, or ought to know, will hinder the investigation of a branch of this law or of public criminal law, sections 90-94, he shall be punished by a fine or imprisonment not to exceed six months, if a more severe punishment shall not apply to the act.

SEC. 8. Anyone who, on reasonable grounds, is believed to have violated section 5 of this law or the law in regard to the State monopoly of the transmission of information by the use of telegraph lines and the like means of April 29, 1899, section 6, and the supplemental law of July 24, 1914, section 3, may be arrested and placed in custody not only under the conditions set forth in the law of criminal procedure, section 229 and section 240, but also under the conditions set forth in the same law, section 240, notwithstanding the punishment is less than there determined.

SEC. 9. This law goes into effect at once.

From the same time is repealed section 331 of the general criminal law and the law in regard to ports, etc., of July 10, 1894, section 59.

We have accepted and given force, as we hereby accept and give force, to the said law, under our hand and the seal of the realm.

Given at Christiania Castle, August 18, 1914.

HAAKON. [L. S.]
GUNNAR KNUDSEN.
HESSELBERG.

Royal resolution in regard to telegraph communication, September 18, 1914.

In accordance with article 8 of the Petrograd International Telegraph Convention, it is ordered that private telegrams to and from foreign countries shall be framed en clair in Norwegian, Danish, Swedish, German, English, French, or Russian, and in such a way that they convey a meaning which may be understood by the officials of the telegraph service. Telegrams which are not signed, or contain no text, or only a text consisting of one

word or a figure are not permitted; nor those which contain information about Norwegian military arrangements or anything which violates the neutral attitude of Norway. Private telegrams which violate these restrictions will be returned or stopped without advice to the place where they were deposited. These restrictions are not to be applied to Government telegrams or meteorological telegrams.

Telephone conversations to and from foreign countries must be carried on in Norwegian, Swedish, or Danish, and must not touch upon the military relations above mentioned. Conversations violating these restrictions shall be interrupted.

Royal resolution relative to defense secrets, November 6, 1914.

In regard to the law on defense secrets of August 18, 1914, the following provisions shall be in force.

SEC. 1. Persons not concerned are forbidden access to the country's fortresses, ships of war, harbors of fortresses or marine stations, signal stations, or buildings or premises where objects connected with the defense of the realm are placed, being constructed, or stored.

Norwegian officers will as a rule be able to obtain access in order to see the said establishments on application to the highest military authorities on the spot.

These authorities may, after securing the approbation of the commanding general (admiral), permit individuals to enter; for example, the civil population of the place, when this is considered necessary.

SEC. 2. Passing over Norwegian territory in airships without special permission of the department of defense is, until further notice, forbidden, except to the airships belonging to the State or acting for it.

SEC. 3. The general (admiral) commanding may determine areas in the neighborhood of fortified places, and other places where it may be necessary for the purposes of national defense, where it is forbidden to persons not entitled to be present.

Such prohibitions shall be brought to public knowledge at the place in question by notices, publications in the newspapers, or the like.

SEC. 4. The commanding general (admiral), or, if his decision can not be obtained, the highest military authority present, may forbid persons not concerned to be present at military exercises or experiments or to remain near or to follow sections of the war forces or warships.

SEC. 5. Aliens are forbidden access to the grounds on which military exercises or target practice takes place without special permission from the highest military officer at the spot.

The latter may also forbid persons not entitled from access to the grounds on which military exercises or target practice takes place when this is necessary for reasons relating to the service.

*Law regarding the control of post and telegraph communications,
June 24, 1915.*

We, Haakon, Norway's King, cause to be known that the decision of the Storting of June 22, 1915, has been laid before us, as follows:

SECTION 1. The King, or anyone empowered by him, may carry out the examination and detention of communications by post and telegraph, when this is required by reason of the safety of the realm.

Apart from time of war this control can not be extended beyond communications to and from persons suspected of breaches of the law relative to defense secrets of August 18, 1914, or of the general criminal law, chapter 8 or 9.

SEC. 2. Officials who execute or assist in the control are to preserve silence in regard to what they come to know in the execution of their duty.

SEC. 3. This law goes into force at once.

We have accepted and given force, as we hereby accept and give force, to the said law under our hand and the seal of the realm.

Given at Christiania Castle, June 24, 1915.

HAAKON. [L. S.]

In the absence of the Minister of State, IHLEN.

HESSELBERG.

Notification from the Department of National Defense in reference to the surveillance of vessels in Norwegian waters, October 1, 1915.

• By royal resolution of October 1, 1915, it is ordered:

SECTION 1. Vessels in Norwegian waters shall hoist the national flag on arrival at a place of anchorage, where Norwegian war or guard ships lie, and also when such ships are in sight. While in Norwegian waters they shall stop immediately when it is ordered by Norwegian war or guard ships, e. g., when a warning signal is given by steam whistle, hoisting a signal, or a warning shot.

Norwegian war or guard ships are entitled in Norwegian waters to visit vessels and their cargoes, as well as the passengers on board, and the persons in command of the visited ship shall cooperate willingly at the visit as well as give, on demand, such information interesting to the military authorities as they are able

to give; likewise they are in duty bound to follow the advice which may be given them in regard to their situation and their future voyage.

SEC. 2. Violation of these regulations will be punished under the general criminal law, May 22, 1902, section 339, 2.

SEC. 3. The regulations in section 1 go into force at once.

Royal resolution in regard to interned war vessels June 30, 1916.

By royal resolution of June 30, 1916, the following orders are put in force in regard to belligerent warships interned in the ports of the realm under article 24 of the XIII Hague Convention, October 18, 1907, regarding the rights and duties of neutral powers in maritime war:

The ship shall be disarmed sufficiently and shall be rendered incapable of putting to sea so long as the war lasts, and its officers and men shall be interned.

The department of national defense shall determine how far the ship's officers and men may remain on board or shall be brought ashore. At all events so many of the crew as may be necessary to keep the ship in condition may remain on board. The ship's officers and men are to be placed under surveillance, and may not without special permission leave the place which is assigned to them. However, officers may retain their freedom if they give their parole not to leave the district limited to them.

The national defense department is authorized to carry out such other restrictions as may be necessary by reason of the above.

These orders go into force at once.

Royal resolution in reference to belligerent submarines, October 13, 1916.

Submarines, armed for war and belonging to belligerent powers, may not travel in or remain in Norwegian sea territory. If they violate this prohibition they subject themselves to the possibility of seizure by armed force without warning.

This prohibition does not prevent submarines by reason of adverse weather or damage from seeking Norwegian domain to save life. In such case the vessel shall, within the domain, remain above the surface and shall fly the national flag and the international signal, indicating the reason of its approach. The vessel shall leave the domain as soon as the reason which brought about its arrival has ceased.

Other submarines may not travel or remain in Norwegian sea territory, except in broad daylight in clear weather and above the surface with national flag flying.

Foreign submarines, while traveling in Norwegian waters, must, because of the difficulties connected with distinguishing the different kinds of submarines, bear all risks of any damage, or even destruction, as the result of confusion of the ship's character.

This resolution goes into effect October 20, 1916.

Royal ordinance, in reference to belligerent submarines January 30, 1917.

The royal ordinance dated October 13, 1916, respecting the movements or stay in Norwegian territorial waters, etc., of submarine craft equipped for use in war and belonging to a belligerent power has been so amended that on and after February 6, 1917, it shall read as follows:

Submarines, equipped for use in war, and belonging to a belligerent power, may not be navigated or remain in Norwegian territorial waters. Breach of this prohibition will render such vessels liable to attack by armed force without previous warning.

This prohibition shall not prevent submarines from seeking Norwegian territorial waters on account of stress of weather, or damage, or in order to save human life; when within territorial waters in such cases the vessel shall be kept at the surface and shall fly her national flag and also the international signal indicating the reason of her presence. As soon as the reasons justifying the arrival of the vessel are no longer present, she shall depart from territorial waters.

Submarines that are equipped for use in war and belong to a nonbelligerent foreign power, are also prohibited from navigating or remaining in Norwegian territorial waters, unless by daylight in clear weather, and in surface condition with their national flag displayed.

PANAMA.

Instructions from the Secretary of Foreign Affairs to port inspectors relating to neutrality, October 24, 1914.

No. S-4806.]

SECRETARY OF FOREIGN AFFAIRS,
Panama, October 24, 1914.

SIR: On the 10th instant there was signed in Washington by the Secretary of State of the United States and the minister of Panama in said country the protocol, a copy of which I inclose to you.¹

In order to carry it out in practice, it has been agreed with the authorities of the zone that the inspectors of the ports of the

¹ Naval War College, Int. Law Topics, 1916, p. 94.

Republic should inform directly the inspectors of the ports of the zone of any hospitality extended to the ships of belligerent nations, or of neutral nations used by belligerent nations for military purposes, reporting at the same time to the Government of Panama; and that the inspectors of the ports of the zone should do the same to the inspectors of the ports of the Republic, reporting at the same time to the government of the canal.

All of which I take pleasure in informing you of for its proper fulfillment.

I am, your attentive and sure servant,

E. T. LEFEVRE.

To the INSPECTOR OF THE PORT,
Chief of the National Preventive Service.

Panama (also sent to same officials in Colon and Bocas del Toro).

Proclamation of cooperation with the United States in war against Germany, April 7, 1917.

Our indisputable duty in this tremendous hour of history is of a common ally, whose interests and existence as well are linked indissolubly with the United States. As the situation creates dangers for our country, it is the duty of the Panaman people to cooperate with all the energies and resources they can command for the protection of the canal and to safeguard national territory.

The attitude of the people was foreseen and interpreted faithfully in a resolution unanimously approved by the National Assembly on February 24, and confirmed by later laws, and the moment has arrived for the Executive to act in accordance with the declarations of the supreme body. I therefore declare that the Panaman Nation will lend emphatic cooperation to the United States against enemies who execute or attempt to execute hostile acts against the territory of the canal, or in any manner affect or tend to affect the common interests.

The Government will adopt adequate measures in accordance with the circumstances. I consider it the patriotic duty of all Panaman citizens to facilitate the military operations which the forces of the United States undertake within the limits of our country. Foreigners, resident or transient, will be obliged to submit to the conditions of this declaration.

RAMON VALDEZ, *President.*

Declaration of war against Austria-Hungary, December 10, 1917.

The National Assembly of Panama: In view of the message of the President in which he advises the National Assembly of the declaration of war made by the Congress of the United States of

America on the Austro-Hungarian Empire and considering that the Republic of Panama has expressed before in its laws and resolutions its firm willingness to lend to the United States of America all the powers and cooperation it may be capable of in the present war, making common cause with the democratic nations which are fighting to impede the predominance of the world by the Teuton powers, be it

Resolved, That the Republic of Panama be declared in a state of war from to-day, December 10, 1917, with the Austro-Hungarian Empire.

That the President be invested with the necessary powers to cooperate with the United States of America in the prosecution of the war in accordance with the principles of international law.

PERU.

Proclamation of attitude in war between United States and Germany, July 28, 1917.

[U. S. Official Bulletin, No. 89, p. 1.]

Address of M. Pardo, President of Peru, to Congress.

President Wilson, in his message read before the American Congress on the 2d of last April, set forth the motives of intervention of his country in the European war and the plans pursued to save the principles of peace and justice in the world, declaring that the United States would be satisfied only when they have consolidated the faith in liberty which the nations can give, adding that they will fight for the triumph of democratic rights, for the liberty of those who are living under oppression and have no voice before their Governments, for the rights and liberties of the small nations, for the universal dominion of justice, and because the concert of all the people carry and assure peace and humanity, and may make the entire world positively free.

Peru, which in all its acts of international life has endeavored to incorporate these principles of justice in the judicial and political relations of the American people; Peru, which in a war not far back sacrificed for these ideals the blood of its sons, the richness of its treasures, and the hope of its future, can not be indifferent to the words of President Wilson, and adheres once more to such noble purposes.

The sufferings of humanity during these years of terrible war, which draws to her the more powerful and more peaceful democracy of the history, shall not have been sterile if with its effort there is raised the new building of international society upon the immovable foundation of justice and of respect to sovereignty.

Brazil, Cuba, Bolivia, and Panama have suspended their diplomatic relations with the central powers.

Uruguay has taken the initiative that the South American States may receive in their ports American warships as brother nations and not belligerents, a concept compatible with terms of benevolent neutrality, to which act my Government has adhered to with sympathy.

Notification of breaking diplomatic relations with Germany, October 6, 1917.

[U. S. Official Bulletin No. 131, p. 4]

Francisco Tudela, Minister for Foreign Affairs of Peru, to the Secretary of State of the United States.

WASHINGTON, October 6, 1917.

YOUR EXCELLENCY: From the beginning of the great war, in which the most powerful peoples of the world are involved, the Peruvian Government has strictly performed the duties imposed upon it by international law and has loyally maintained the neutrality of the Republic, trusting that its neutral rights would in turn be respected by the belligerents. But when the conflagration spread to the American continent, notwithstanding the efforts exerted for nearly three years by the United States Government to keep that great people out of the conflict, Peru was confronted by new duties springing from its passionate desire for the continental solidarity that has ever been the goal of its foreign policy, and by the necessity of defending its rights from the new form of maritime warfare set up by Germany.

That was the reason why, on receiving notice of the belligerency of the United States caused by the proceedings of the Berlin Government in violation of international law, the Peruvian Government, far from declaring itself neutral, recognized the justice of the stand taken by the Washington Government. And for the same reason the President of Peru, in his message to Congress, and the minister for foreign affairs, in the Chamber of Deputies, with the express approval of the Parliament, solemnly affirmed the adhesion of our country to the principles of international justice proclaimed by President Wilson.

It was the Peruvian Government's wish that the policy of the whole continent be a concerted ratification of the attitude of the Washington Government, which took up the defense of neutral interests and insisted on the observance of international law. But the course of events did not result in joint action; each country shaped its course in defense of its own invaded rights as it was individually prompted in its adherence to the principles declared by the United States.

Peru, for its part, while endeavoring to give prevalence to a uniform continental policy, maintained with the utmost firmness the integrity of its rights as a sovereign nation in the face of Germany's disregard of the principles of naval warfare. It was the defense of those rights which led it to sever its diplomatic relations with the Imperial Government as the result of an outrage for which it duly but vainly claimed appropriate reparation: the sinking of the vessel *Lorton* by a German submarine on the coast of Spain while the ship was plying between neutral ports, engaged in lawful trade, without infringing even the German rules respecting closed zones—unknown to international law.

The reluctance of the Imperial Government to meet our just demands according to the general principles of international law; the very arbitrary rules laid down by that Government; and the unsuccessful presentation of a precedent in an analogous claim favorably entertained by it—these are the facts in which Peru reads the complete lack of justice that marks the course of the German Government's policy and the sound foundation there is for the effort to check that policy, so as to establish in the world a juridical standard that will forever cause justice to prevail in international relations.

The contents of this message and the documents which I shall forward to your excellency will enable your Government to acquaint itself with the fundamental grounds upon which our attitude rests, and also with the negotiations with Germany above referred to, which the Government has now brought to an end by recalling the minister of the Republic at Berlin and delivering his passports to the representative of Germany at this capital, with the express approval of the Parliament.

I avail myself of this opportunity to tender to your excellency the assurances of my high and distinguished consideration.

FRANCISCO TUDELA.

PORTUGAL.

Law authorizing military intervention, November 24, 1914.¹

[Coleção Oficial de Legislação Portuguesa, 1914, 2:591.]

PRESIDENT OF THE MINISTRY.—Law No. 283.

In the name of the nation, the congress of the Republic decrees and has promulgated the following law:

SINGLE ARTICLE. The executive power is authorized to intervene by military measures in the present international conflict at the time and in the manner it should judge necessary for our high

¹ By law No. 275, of Aug. 8, 1914, the Executive had been authorized, in view of the emergency, to take measures for "insuring order and safeguarding the national interests, as well as to meet any extraordinary emergency of an economic and financial character." This authority was

interests and duties as a free nation and ally of England¹ and for the same end to take any extraordinary steps which the circumstances of the moment may demand.

Let the ministers of all departments have it printed, published, and circulated.

Given at the seat of the government of the Republic and published November 24, 1914.

MANUEL DE ARRIAGA.

BERNARDINO MACHADO.

EDUARDO AUGUSTA DE SOUSA MONTEIRO.

ANTONIO DOS SANTOS LUCAS.

ANTONIO JULIO DA COSTA PEREIRA DE EQA.

AUGUSTO EDUARDO NEUPARTH.

A. FREIRE DE ANDRADE.

JOÃO MARIA DE ALMEIDA LIMA.

ALFREDO AUGUSTO LISBOA DE LIMA.

JOSÉ DE MATOS SOBRAL CId.

(D. do G. No. 220, Suppl. e No. 221.)

*Decree relating to the requisition of cargoes on enemy vessels,
April 20, 1916.²*

[London Gazette, May 30, 1916, p. 5820.*]

FOREIGN OFFICE, May 27, 1916.

With reference to the notification which was published in the London Gazette of the 25th ultimo, a translation is now appended

continued by law No. 292, Jan. 15, 1915, law No. 317, June 5, 1915, and law No. 378, Sept. 2, 1915.

By decree No. 2229, Feb. 23, 1916, authorized by law No. 480, Feb. 7, 1916 (base 10), provision was made for requisitioning merchant vessels in Portuguese ports. In successive decrees, German vessels were requisitioned as follows:

Feb. 24, 1916, decree No. 2236, 85 vessels at Lisbon.

Feb. 25, 1916, decree No. 2240, 1 vessel on the Douro River at Oporto.

Mar. 1, 1916, decree No. 2243, 8 vessels at Ponto Delgada, St. Miguel, and 3 vessels at Horta, Fayal, Azores.

Mar. 3, 1916, decree No. 2251, 1 vessel at Setúbal.

Mar. 6, 1916, decree No. 2253, 8 vessels at Loando, Angola.

Mar. 6, 1916, decree No. 2259, 8 vessels at St. Vincent, Cape Verde.

Mar. 6, 1916, decree No. 2260, 4 vessels at Funchal, Madeira.

Mar. 6, 1916, decree No. 2257, 5 vessels at Mormugão, India.

Apr. 14, 1916, decree No. 2332, 7 vessels at Mozambique.

Austrian vessels were requisitioned as follows:

July 10, 1916, decree No. 2251, 1 vessel at Mormugão.

Apr. 29, 1916, decree No. 2358, 1 vessel.

These vessels were given Portuguese names by Portaria Nos. 616, 670, 677, of Mar. 15, May 18, and May 26, 1916.

¹ For treaties of alliance between Portugal and Great Britain, 1373-1812, see British and Foreign State Papers, 1:462 et seq.

² For Italian decrees relating to treatment of goods found on seized German vessels May 11, 1916, see London Gazette, May 12, 1916, p. 4692, and June 30, 1916, p. 6493.

* A preliminary notification of this decree appeared in the London Gazette, Apr. 25, 1916, p. 4192.

of the articles of the Portuguese decree of April 20, 1916, relating to the release of allied and neutral cargoes on German vessels seized by the Portuguese Government.

His Majesty's minister at Lisbon reports that cargoes on Austrian vessels will be released in the same manner as those on German vessels, and that delivery orders formerly issued by the enemy shipowners to cargo owners, with a view to the latter taking possession of their goods, will be accepted by the Portuguese authorities as evidence of title.

(Translation.)

Regulations with regard to enemy vessels and their cargoes.¹

ART. 32. Merchandise belonging to allies or to neutrals found on board these ships or discharged from them shall be delivered with or without guarantee, by the procurator of the Republic of the respective judicial districts, provided always that the Government have the right to requisition it on payment of an indemnity. Delivery shall be requested from that officer within a period of 30 days without prejudice of postponement authorized by the Minister of Finance in special cases.

(1) The guarantee shall always be demanded when the owner is unable to present shipping documents in proper form, there being applicable to such a case the provisions of the second paragraph of article 478 of the decree of the 31st January, 1889.

(2) The decision of the procurator of the Republic shall be communicated to the Ministry of Finance and the order for delivery, should there be one, will be given to the interested party and for all purposes shall take the place of the ordinary bill of lading as regards the customshouse or other authorities.

ART. 33. Should the neutral or friendly character of goods on board an enemy vessel or discharged therefrom not be clearly established or should the owner not be known, the goods shall be presumed to be enemy property.

ART. 34. The prize court shall decide in accordance with established procedure all difficulties which may arise regarding the nationality or regarding the storage, care, or delivery of merchandise referred to in the previous articles.

ART. 35. The tribunals of commerce shall be competent to try and judge prize cases in accordance with article 179 of the Commercial Code.

(1) The judgment shall always be delivered by the Tribunal of Commerce of Lisbon even though the case may have been tried in the colonial tribunals of commerce.

(2) The proceedings shall be in summary form in accordance with the terms of decree No. 3 of the 29th May, 1907, and the

¹ Decree No. 2350, chap. 4.

judge, should he not be in Lisbon, should conclude the case within the 24 hours stipulated in article 10 of the same decree.

(3) There shall be neither costs nor stamps in these proceedings.

ART. 36. The State shall be represented before the prize courts by the Public Ministry and the interested party, should he be an enemy or an assignee of one, by the agent appointed to take charge of the cargo, when the case relates to merchandise, or by a lawyer appointed by the judge when the case relates to a ship.

Decree relating to contraband, August 14, 1916.¹

[London Gazette, Sept. 8, 1916, p. 8805.]

FOREIGN OFFICE, *September 7, 1916.*

The Secretary of State for Foreign Affairs has received from His Majesty's Minister at Lisbon the following translation of a decree dated August 14, 1916, and published in the Portuguese Official Gazette of the same date, declaring certain goods to be contraband under certain conditions.

ARTICLE 1. The goods enumerated in the list annexed to this decree are declared to be contraband of war when they come under the conditions provided for in the following articles:

ART. 2. The goods mentioned in the preceding article are considered contraband of war when they are destined either directly or indirectly to enemy territory or their allies' territory.

ART. 3. Besides goods the enemy destination of which is clearly shown by documents, those which are carried by vessels bound to or calling at enemy ports or ports of their allies shall be considered as directly destined to enemy territory.

ART. 4. Goods are considered as directly destined to enemy territory:

(a) When they are destined to neutral ports, but consigned to the enemy or their allies, to their agents or recognized intermediaries, or to persons acting under their orders or directions or who may be under their influence.

(b) When they are destined to neutral ports, not comprised in the preceding subclause, but whose final destination to enemy territory may be deduced from the evident deviation from their normal course of the conveying vessel or when it is proved by any other means.

The conveyance of goods to a country adjacent to enemy territory or from which it is notorious that the latter obtains supplies of merchandise which the importing country in question has already imported in quantities exceeding its highest imports for the last three years, shall be considered as a well-founded assurance of the above enemy destination.

¹ Supplementary to decree No. 2, Sept. 27, 1894.

ART. 5. Besides any other goods which shall be considered as such, the following shall always be considered as legitimate prizes:

(a) Ships carrying contraband of war the value, weight, size, or freight of which amounts to more than half the value, weight, size, or freight of her cargo;

(b) Ships on their return voyage after having carried contraband in the manner described in the preceding subclause;

(c) Ships not included in subclauses (a) and (b), habitually employed in contraband traffic or other traffic which may be qualified as that of rendering assistance to the enemy;

(d) Ships of enemy ownership which by their build, armament, or internal disposition and fittings may be converted into ships of war.

ART. 6. Goods not considered contraband of war, but being actually the property of the enemy or their allies, may be seized whilst on board neutral ships, whatever port they may be bound to, and shall be deposited and dealt with in accordance with the terms of the decree No. 2350 of the 20th of April, 1916, and other enactments in force.

ART. 7. In other cases which have not been provided for in this decree or other national legislation in force, the provisions bearing on the subject contained in the legislation of the allied nations, as well as the general principles of public international law shall be applicable.

ART. 8. The present decree shall come into force immediately and all legislation contrary thereto is hereby revoked.

SEAT OF THE GOVERNMENT OF THE REPUBLIC,

14th August, 1916.

(There follows a list containing 73 classes of articles regarded as contraband of war.)

ROUMANIA.

Declaration of war against Austria, 9 p. m., August 27, 1916.¹

[The Times (London) History of the War, 9: 430; Rev. Gén., Doc., 23: 197.]

Note Handed to the Austro-Hungarian Minister at Bucharest, August 27, 1916.

The Alliance concluded between Germany, Austria-Hungary, and Italy had, according to the precise statements of the govern-

¹ "AMSTERDAM, August 28, 1916.

"A Vienna telegram states that last night the Roumanian Minister in Vienna visited the Austro-Hungarian Ministry of Foreign Affairs in order to present a note according to which Roumania, as from August 27, at 9 o'clock in the evening, considered herself in a state of war with Austria-Hungary." (London Times, Aug. 29, 1916, p. 7, e. See also Journ. Off., Sept. 5, 1916, p. 7959.)

ments themselves, only an essentially conservative and defensive character. Its principal object was to guarantee the allied countries against any attack from outside and to consolidate the state of things created by previous treaties. It was with the desire to harmonize her policy with these pacific tendencies that Roumania joined that alliance. Devoted to the work of her internal constitution and faithful to her firm resolution to remain in the region of the lower Danube an element of order and equilibrium, Roumania has not ceased to contribute to the maintenance of peace in the Balkans. The last Balkan wars, by destroying the status quo, imposed upon her a new line of conduct. Her intervention gave peace and reestablished the equilibrium. For herself she was satisfied with a rectification of the frontier which gave her greater security against aggression, and which, at the same time repaired the injustice committed to her detriment at the Congress of Berlin. But in the pursuit of this aim Roumania was disappointed to observe that she did not meet from the cabinet of Vienna the attitude that she was entitled to expect.

When the present war broke out Roumania, like Italy, declined to associate herself with the declaration of war by Austria-Hungary, of which she had not been notified by the cabinet of Vienna. In the spring of 1915 Italy declared war against Austria-Hungary. The Triple Alliance no longer existed. The reasons which determined the adherence of Roumania to this political system disappeared. At the same time, in place of a grouping of States seeking by common efforts to work in agreement in order to assure peace and the conservation of the situation *de facto* and *de jure* created by treaties, Roumania found herself in presence of powers making war on each other for the sole purpose of transforming from top to bottom the old arrangements which had served as a basis for their treaty of alliance.

These profound changes were for Roumania an evident proof that the object that she had pursued in joining the Triple Alliance could no longer be attained, and that she must direct her views and her efforts toward new paths, the more so as the work undertaken by Austria-Hungary assumed a character threatening the essential interests of Roumania, as well as her most legitimate national aspirations.

In the presence of so radical a modification of the situation between the Austro-Hungarian monarchy and Roumania the latter resumed her liberty of action.

The neutrality which the Royal Government imposed upon itself in consequence of a declaration of war made independent of its will and contrary to its interests was adopted, in the first instance, as a result of assurances given at the outset by the Imperial and Royal Government that the monarchy, in declaring war upon Serbia, was not inspired by a spirit of conquest, and that

it had absolutely no territorial acquisitions in view. These assurances were not realized. To-day we are confronted by a situation de facto from which may arise great territorial transformations and political changes of a nature to constitute a grave menace to the security and future of Roumania.

The work of peace which Roumania, faithful to the spirit of the triple alliance, had attempted to accomplish was thus rendered barren by those who themselves were called upon to support and defend it.

In adhering, in 1883, to the group of central powers, Roumania, far from forgetting the ties of blood uniting the people of her kingdom to those Roumanians who are subject to the Austro-Hungarian monarchy, saw in the relations of friendship and alliance which were established between the three great powers a precious pledge for her domestic tranquillity, as well as for the improvement of the lot of the Roumanians of Austria-Hungary. In effect, Germany and Italy, who had reconstituted their States on the basis of the principle of nationality, could not but recognize the legitimacy of the foundation on which their own existence reposed.

As for Austria-Hungary, she found in friendly relations established between her and the Kingdom of Roumania assurances for her tranquillity both in her interior and on our common frontiers, for she was bound to know to what an extent the discontent of her Roumanian population found in an echo among us, threatening every moment to trouble the good relations between the two States.

The hope that we based from this point of view upon our adhesion to the triple alliance remained unfulfilled during more than 30 years. The Roumanians of the monarchy not only never saw any reform introduced of a nature to give them even the semblance of satisfaction, but, on the contrary, they were treated as an inferior race, and condemned to suffer the oppression of a foreign element which constitutes only a minority in the midst of the diverse nationalities constituting the Austro-Hungarian State. All the injustices which our brothers were thus made to suffer maintained between our country and the monarchy a continual state of animosity, which the Government of the kingdom only succeeded in appeasing at the cost of great difficulties and numerous sacrifices.

When the present war broke out it might have been hoped that the Austro-Hungarian Government, at least at the last moment, would end by convincing itself of the urgent necessity of putting an end to this injustice, which endangered not only our relations of friendship, but even the normal relations which ought to exist between neighboring States. Two years of war, during which Roumania has preserved her neutrality, proved that Austria-Hungary, hostile to all domestic reform that might ameliorate

the life of the peoples she governs, showed herself as prompt to sacrifice them as she was powerless to defend them against external attacks. The war, in which almost the whole of Europe is taking part, raises the gravest problems affecting the national development and the very existence of States. Roumania, from a desire to contribute in hastening the end of the conflict, and governed by the necessity of safeguarding her racial interests, finds herself forced to enter into line by the side of those who are able to assure her the realization of her national unity. For these reasons she considers herself from this moment in a state of war with Austria-Hungary.

RUSSIA.

Note relating to declaration of war by Germany, August 2, 1914.

[Russian Orange Book.]

No. 78.—The Minister of Foreign Affairs to the Representatives of His Majesty the Emperor Abroad.

[Telegram.]

ST. PETERSBURG, 20 July—2 August, 1914.

It is absolutely clear that Germany is already endeavoring to throw upon us the responsibility of the rupture. Our mobilization was provoked by the enormous responsibility which we should have incurred if we had not taken all precautionary measures at a moment when Austria, confining herself to *pourparlers* that were only meant to gain time, was bombarding Belgrade and proceeding to a general mobilization.

His Majesty the Emperor had undertaken, by giving his personal word to the Emperor of Germany, not to undertake any aggressive act so long as the *pourparlers* with Austria should continue. After such a guarantee, and after all the proofs of Russia's love for peace, Germany could not and had no right to doubt our declaration that we would accept with joy any pacific issue compatible with the dignity and independence of Serbia. Any other solution would be completely incompatible with our own dignity and would certainly have shaken European equilibrium by insuring the hegemony of Germany. This European, even world-wide, character of the conflict is infinitely more important than the pretext which created it. By its decision to declare war upon us at a moment when the negotiations between the powers were still being carried on, Germany has assumed a heavy responsibility.

SAZONOFF.

Note breaking diplomatic relations with Turkey, October 29, 1914.

[Second Russian Orange Book.]

No. 91. Russian Minister of Foreign Affairs to Russian Ambassador at Constantinople.

[Telegram.]

PETROGRAD, October 16 (29), 1914.

The Turks opened hostilities against the unfortified port of Theodosia and the gunboat stationed at the port of Odessa.

Consequently, you will please take steps for the departure of our consular officers, placing the protection of our interests in the hands of the Italian ambassador.

In this connection you will inform the Porte that as a result of the said hostilities you have been ordered to leave Constantinople with all of your subordinate officers.

Communicate to Bordeaux, London, Nish, Sofia, Bucharest, Rome, Athens, and Cetinje.

SAZONOFF.

Notification of breaking diplomatic relations with Turkey, November 2, 1914.

[British Parl. Pap. Misc. No. 13 (1914). See also 2nd Russian Orange Book No. 97.]

No. 182.—Telegram Communicated by Count Benckendorff on November 2, 1914.

[Translation.]

M. Sazonof telegraphs on November 1, 1914, as follows:

"The Turkish chargé d'affaires has just read me the following telegram from the Grand Vizier: 'I request you to inform the minister for foreign affairs that we infinitely regret that an act of hostility, provoked by the Russian fleet, should have compromised the friendly relations of the two countries. You can assure the Imperial Russian Government that the Sublime Porte will not fail to give the question such solution as it entails, and that they will adopt fitting measures to prevent a recurrence of similar acts. You can declare forthwith to the minister that we have resolved no more to allow the Imperial fleet to enter the Black Sea, and that we trust that the Russian fleet, on their side, will no longer cruise in our waters. I have the firm hope that the Imperial Russian Government will give proof, on this occurrence, of the same spirit of conciliation in the common interests of both countries.'

"I replied to the Turkish chargé d'affaires that I most categorically denied what he had just said respecting the initiation

of hostilities by the Russian fleet; I told him that I feared it was too late to negotiate; that nevertheless, if the Sublime Porte decided upon the immediate dismissal of all the German military and naval officers and men it might be possible to consider the question, and that discussion might not be impossible to reach some basis of satisfaction to be given by Turkey for the illegal act of aggression against our coasts and for the damage thereby inflicted.

"I authorized Fahr-Eddin to send a cipher telegram in this sense, but pointed out to him at the same time that the representation he had made in no way altered the situation. Fahr-Eddin will receive his passports to-morrow, and the reply from the Turkish Government can be sent through the Italian Embassy."

Note on the occasion of war with Turkey, November 3, 1914.

[Rev. Gen., Doc. 22 : 6.]

Germany and Austria, in their futile struggle against Russia have sought to incite Turkey against that power. Immediately after the perfidious attack by the Turkish fleet conducted by German officers, the Russian Ambassadors at Constantinople received orders to leave the Ottoman Empire with all the personnel of the embassy and of the Russian consulates. It is with a perfect and confident tranquillity, and invoking the aid of God, that Russia will meet this new aggression of the ancient persecutors of the Christian religion and all Slav peoples. It is not for the first time that the valiant armies of Russia will have triumphed over the Turkish hordes. They will know again how to chastise the reckless enemy of our fatherland.

Ultimatum to Bulgaria, October 3, 1915.

Foreign Office to Russian Minister in Bulgaria.

The events which are taking place in Bulgaria at this moment give evidence of a definite decision of King Ferdinand's government to place the fate of its country in the hands of Germany.

The presence of German and Austrian officers at the ministry of war and on the staff of the army, the concentration of troops in the zone bordering Serbia, and the extensive financial support accepted from our enemies by the Sofia cabinet no longer leave any doubt as to the object of the military preparations of Bulgaria.

The powers of the entente, who have at heart the realization of the aspirations of the Bulgarian people, have on many occasions warned M. Radoslavoff that any hostile act against Serbia would be considered as directed against themselves. The assurances given by the head of the Bulgarian cabinet in reply to these warnings are contradicted by the facts.

Proclamation of War against Bulgaria. 209

The representative of Russia, which is bound to Bulgaria by the imperishable memory of her liberation from the Turkish yoke, can not sanction by his presence preparations for fratricidal aggression against a Slav and allied people. The Russian minister has, therefore, received orders to leave Bulgaria with all the staffs of legation and consulates if the Bulgarian Government does not within 24 hours openly break with the enemies of the Slav cause and of Russia and does not at once proceed to send away officers belonging to armies of States which are at war with the powers of the entente.

*Notification of breaking diplomatic relations with Bulgaria,
October 7, 1915.*

Bulgaria's reply to the Russian ultimatum is unsatisfactory. The Russian minister has notified Premier Radoslavoff of a rupture of diplomatic relations between the two countries.

Russian interests in Bulgaria have been confided to the Dutch chargé d'affaires.

Bulgaria's reply was delivered at 2.40 o'clock on the afternoon of October 5 (Tuesday).

Proclamation of war against Bulgaria, October 19, 1915.

We hereby make known to all our loyal subjects that the treason of Bulgaria to the Slav cause, prepared with perfidy since the beginning of the war, has now, although it seemed impossible, become an accomplished fact. Bulgarian troops have attacked our loyal ally, Serbia, already bleeding in the struggle against a stronger enemy.

Russia and the great powers, our allies, tried to dissuade the Government of Ferdinand of Coburg from taking this fatal step. The realization of the ancient aspirations of the Bulgar people regarding the annexation of Macedonia was assured to Bulgaria by other means, in conformity with Slav interests, but underhand methods prompted by the Germans and fratricidal hatred of the Serbians triumphed.

Bulgaria, our coreligionist, liberated but a short time ago from the Turkish yoke by the fraternal love of the Russian people, openly took sides with the enemies of the Christian faith, Slavism, and Russia.

The Russian people regard with sorrow the treason of Bulgaria, which was so near to it until these last few days, and, with bleeding heart, it draws its sword against her, leaving the fate of the betrayer of the Slav cause to the just punishment of God.

*Notification of mined area, November 5, 1914.***Ambassador Marye to the Secretary of State.**

[Telegram.]

AMERICAN EMBASSY,*Petrograd, November 5, 1914.*

Russian Government officially notifies embassy that it has placed mines in zone from fifty-eight fifty north latitude and to east of twenty-first meridian also at entrance of Gulf of Riga and around Aland Islands and consequently entrance and exit of Finnish and Riga Gulfs forbidden.

MARYE.**SALVADOR.***Attitude on war between United States and Germany, October 6, 1917.***SAN SALVADOR, SALVADOR, October 6.**

The United States Government has made an inquiry in regard to the significance of the declaration by the Government of Salvador of neutrality friendly to the United States.

The foreign office has replied that Salvador considers herself associated with the United States by reason of her sentiments in favor of Pan-Americanism, in the world struggle.

SERBIA.*Notification of Austro-Hungarian breaking of diplomatic relations, July 25, 1914.*

[Serbian Blue Book.]

No. 41.—M. Pašitch, Prime Minister and Minister of Foreign Affairs, to All the Royal Legations.

BELGRADE, July 12-25, 1914.

To-day at 5.45 p. m. I delivered the answer to the Austro-Hungarian note.¹ You will receive to-night the exact text. You will see that we have gone as far as we could go, even to the extreme limit. When he received the note, the minister of Austria-Hungary declared that he must compare it with the instructions and that he would give me the answer immediately. As soon as I had returned to the ministry, the minister of Austria-Hungary in-

¹ Supra, p. 42.

formed me by letter that he was not satisfied with our answer, and that he would leave Belgrade this very evening with all the personnel of the legation. He intrusts to the minister of Germany the protection of the legation with all the furnishings and the archives, as well as the protection of the Austro-Hungarian subjects and interests in Serbia. Finally, he states that by the delivery of his letter diplomatic relations between Serbia and Austria-Hungary are completely broken.

The Royal Government has summoned the Skupshtina for the 14-27 of July at Nish, whither are going to-night all the ministries with their officials. In the name of the King, the Hereditary Prince has signed the order of mobilization for the army; tomorrow or the day following, a proclamation will be published in which citizens who are not soldiers are invited to remain quietly at home, and the soldiers to join the colors and to defend Serbia in the measure of their strength, in case she should be attacked.

Note breaking diplomatic relations with Germany, August 6, 1914.

[Serbian Blue Book.]

No. 50. The Minister of Foreign Affairs of Serbia to the German Legation at Nish.

NISH, July 24 (August 6), 1914.

The royal ministry of foreign affairs has the honor to inform the imperial legation of Germany that, owing to the state of war existing between Serbia and Austria-Hungary, ally of Germany, as well as the state of war existing between Russia and Germany, ally of Austria-Hungary, the royal Government of Serbia, uniting itself with Russia and its allies, considers as ended the mission in Serbia of his excellency, Baron Griesner, envoy extraordinary and minister plenipotentiary of Germany. The Government begs his excellency to leave, with the staff of the legation, the territory of Serbia, and gives him herewith the necessary passports.

Notice of breaking diplomatic relations with Bulgaria, October 8, 1915.

[London Times, Oct. 18, 1915, p. 9, l.]

According to an official message which we have received from Nish, the Bulgarian minister to Serbia was handed his passports on Friday (October 8, 1915).

Notification of a state of war with Bulgaria, October 16, 1914.

[Rev. Gén., Doc., 23:150.]

Serbia, having been attacked by the Bulgars without declaration of war on the part of the Government at Sofia, is obliged to consider herself as being, by the force of circumstances, in a

state of war with Bulgaria. The official date of the state of war between Serbia and Bulgaria is October 14, 1915, at 8 o'clock in the morning.

SIAM.

Notification of declaration of war against Germany and Austria-Hungary, July 22, 1917.¹

[U. S. Official Bulletin, No. 62, p. 1.]

A telegram to the Department of State from the American legation at Bangkok, dated July 22, states that Siam declared war against Germany and Austria about 6 o'clock that day. German and Austrian subjects were being interned. The German and Austrian legations were protected by special guards. All German ships were interned at once.

SPAIN.

Exposition of decree relating to the treatment of submarine vessels in neutral jurisdiction, June 29, 1917.²

[Am. Jour. Int. Law, Supp. 11:175.]

OFFICE OF THE PRIME MINISTER.

EXPOSITION.

SIR: Realizing the convenience of definitely fixing the rules to which Spain, as a neutral power, during the actual war conditions should adjust its conduct, it was declared by royal decree of November 23, 1914, that for the purpose of the neutrality proclaimed by Spain in relation to the present war, all authorities and state officials should adjust their conduct and their order to the precept contained in the XIII Hague Convention of 1907, relative to the rights and duties of neutral powers in case of maritime war, which convention was provisionally accepted by Spain until the restoration of peace.

By virtue of that decree, which has not been modified heretofore by any special provisions, the Spanish Government has been applying the rules established by The Hague convention both generally and, in many instances, subsidiarily, inasmuch as the application of the provisions of several of the articles of that

¹ A Reuter dispatch of July 23 1917, says the object of the declaration was "to uphold the sanctity of international rights against nations showing contempt for the principles of humanity and respect for small States."

² Annex to the royal circular order No. 601.

pact is limited to the circumstance of there being no special provisions in the laws of the interested neutral power.

This legal condition, in force within Spanish ports and jurisdictional waters, could not, however, assume an immutable character. Aside from the sovereign powers of a state, especially in matters to which it did not bind itself by any international agreement, it is acknowledged in the preamble of the same Hague convention that each nation has the power to modify the precepts contained therein in case actual experience should reveal the necessity to do so in order to safeguard its rights.

This case, in the opinion of Your Majesty's Government, is at hand; the Government has been able fully to realize that the rules set forth in XIII Hague Convention of 1907, relative to the rights and duties of neutral powers in case of maritime war, notwithstanding the fact that they were the outcome of carefully thought-out negotiations and compromise between opposite points of view brought into the discussion of the second peace conference by the delegates of the powers, yet they do not fully answer any more the purpose which inspired them, due to the evolution—more rapid in point of fact than in point of law—of the military elements used by the belligerent powers. Special attention is called to the extremely general character of the principles laid down in said convention, there being no provisions for certain cases which either were not foreseen in 1907 or it was not presumed that they could assume the importance they have in later times acquired in practice.

Such is the case with the employment of submarines in the present war. The means at the disposal of these vessels, and their use in destructive operations, to an extent and with a range which could not be foreseen by those legislators—a use which has been the subject of express reservations and protests of neutral nations, among them Spain—have changed, in the opinion of Your Majesty's Government, the legal bases on which some of the provisions of the Hague Convention found their existence.

And if, while this convention has up to the present time been in force among us, the Government, following the example of other neutral nations, some of them already belligerents, has faithfully and loyally applied its principles, the experience repeatedly acquired advises—having in view the national convenience—the amendment of some of its articles, leaving in force all those which are not affected by such amendment, to serve as a doctrinal body and compilation of legal precepts which have been unexcelled until now.

Your Majesty's Government does not pretend to set down as permanent and invariable any definition of principles. Happier days will arise, when the nations shall rise to establish those rules which shall better satisfy universal judicial conscience in regard

to such important and transcendental matters of public international law; but in the meantime the Government would not fulfill its most sacred mission if, conscious of its duty to Spain, it should not safeguard its rights and interests and forestall the dangers which an omission in its foresightedness might bring upon the nation which your majesty rules with such great love and high discernment of its needs.

To this end, in accord with the members of the cabinet, and maintaining in force all those provisions of the aforesaid XIII Hague Convention which are not affected thereby I have the honor to submit to Your Majesty, as an addition thereto, and with the provisional and limited character determined by article 1 of the royal decree of November 23, 1914, the following project of decree.

Sir: At the royal feet of Your Majesty,

EDUARDO DATO.

MADRID, June 29, 1917.

Royal decree relating to the treatment of submarine vessels in neutral jurisdiction, June 29, 1917.

[Am. Jour. Int. Law, Supp. 11; 177.]

ROYAL DECREE.

At the proposal of my cabinet of ministers, I hereby decree as follows:

ARTICLE I. All submarine vessels of any kind whatsoever, of belligerent powers, are hereby forbidden to navigate in Spanish jurisdictional waters, or to enter the ports of this nation.

ART. II. All submarine vessels referred to in the preceding article entering Spanish jurisdictional waters for any cause whatsoever shall be interned until the end of the war.

ART. III. Neutral submarines entering Spanish waters shall do so navigating on the surface and displaying conspicuously their national flag.

ART. IV. The royal decree of November 23, 1914,¹ shall remain in force as to all of its provisions not modified hereby.

Given at the palace this 29th day of June, 1917.

ALFONSO.

The Prime Minister,

EDUARDO DATO.

¹ This decree declared XIII Hague Convention, 1907, concerning the rights and duties of neutral powers in naval war, operative. [155 Boletín de Legislación, 1914, 75.]

SWEDEN.*Decree relating to mined area, July 14, 1916.*

[British Parl. Pap., Misc. No. 8 (1917).]

By a decree dated the 14th July, Swedish Government gives notice that mine field laid down in Kogrundsranan, which is new fairway round Falsterbo mine field, situated between latitude north 55° 26', and north 55° 28', and between longitude east 12° 47' 8'', and east 12° 50' 5''. Fairway may only be navigated by Swedish warships or any other ships in the service of Swedish State, Swedish merchant vessels engaged in regular coastwise traffic through sound, Swedish merchant ships bound to Swedish Baltic ports carrying cargo only to such port or in ballast and vice versa, finally, Swedish boats, including vessels less than 20 tons register, going from one Swedish port to another. All merchant vessels desiring to pass through mine field must anchor before arriving mine field, in order to obtain permission to pass. Notice comes in force to-morrow. There are several other provisions of less importance connected with pilotage, etc.

Decree relating to the sojourn of war submarine vessels, amendatory to decree of December 20, 1912,¹ July 19, 1916.

[British Parl. Pap., Misc. No. 8 (1917).]

We, Gustaf, etc.,

Submarines belonging to foreign powers and equipped for use in warfare² may not navigate or lie in Swedish territorial waters within 3 nautical minutes (5,556 meters) from land or from extreme outlying skerries, which are not continuously washed over by the sea, under peril of being attacked by armed force without previous warning; exception is, however, made for the passage through Oresund between parallels of latitude drawn in the north, through Viking Light (latitude, north 56° 8' 7''), and, in the south, through Klagshamm Light (latitude, north 55° 31' 2'').

In the event of a submarine being compelled through bad weather or shipwreck to enter the forbidden area, the above regulation is not applicable, always provided that the vessel while within the mentioned area, shall remain above the surface and

¹ Similar to Danish decree, Dec. 20, 1912 (International Law Topics, 1916, p. 49), and Norwegian decree, Dec. 18, 1912, *supra*, p. 184.

² Replying to a British protest of Aug. 30, 1916, which questioned whether "the periscope or even the conning tower of a commercial submarine can be distinguished from those of a belligerent submarine," the Swedish minister of foreign affairs said in a note of Sept. 9, 1916: "In accordance with the regulations issued in connection with the decree on the treatment of submarines, every submarine is treated as a belligerent submarine unless its employment for commercial purposes is definitely proved by known facts." (British Parl. Pap., Misc. No. 8 (1917).)

fly its national flag as well as the international signal indicating the cause of its presence. The vessel shall leave the area as soon as possible after the reason for its presence there has ceased to exist.

This decree shall come into force on the 28th July, 1916.

Saro, July 19, 1916.

GUSTAF.

SWITZERLAND.

Declaration of neutrality, December 12, 1917.

[Official Bulletin, No. 186, p. 2.]

Swiss Minister of Foreign Affairs to United States Chargé Affaires.

DECEMBER 12, 1917.

MR. CHARGÉ D'AFFAIRES: In a note of the 3d instant¹ you were kind enough to inform the political department that you had been charged by the Department of State to inform the Federal Council that the presence of American troops in Europe, taking part in the war against the Imperial German Government, had led the Government of the union to inform the Swiss Confederation that, the same as its cobelligerents in Europe, the United States will not fail to observe toward Switzerland the principle of neutrality and inviolability of its territory as long as this neutrality is maintained by the confederation and respected by the enemy.

In the name of the Federal Council I have the honor, in acknowledging this declaration, to beg you to transmit to your Government the thanks of the Federal Council for this new proof of the sentiments of friendship that the United States has always manifested toward Switzerland.

The Federal Council can only renew the declaration of neutrality that it had the honor to notify to Washington April 20, 1917, insisting particularly on its firm and unwavering determination to maintain and defend its neutrality and inviolability of its territory by all means at its disposal against any person.

At the same time the Federal Council has the honor to declare that by virtue of its sovereignty and in accordance with the declaration of the powers who signed the treaties of Vienna and Paris of 1815, in particular that of the 20th of November, the Swiss Confederation, to whom it appertains to take the necessary measures for the defense of its territory, will maintain its neutrality by its own forces and will repel a violation of its frontier if this occurs.

Referring to these acts and to its declaration of neutrality of August 4, 1914,² as well as to later declarations, especially the

¹ *Infra* p. 233.

² *International Law Topics*, 1916, p. 70.

notification made at Washington by the Swiss minister on April 20, 1917, the Federal Council believes that it appertains only to it to decide in what conditions it might appear opportune to appeal to the assistance of foreign powers. Receive, etc.

ADOR.

TURKEY.

Notification of neutrality, August 18, 1914.

[Journ. Off., Aug. 18, 1914, p. 7479.]

The Imperial Ottoman Government has made known to the Government of the Republic through its ambassador at Paris that the Sublime Porte is resolved to maintain a strict neutrality in the present war.

Neutrality regulations, September 28, 1914.

[British Parl. Pap., Misc. No. 13 (1914).]

[Inclosure No. 1, in No. 147.—Translation.]

The ministry of foreign affairs, with a view to the observance of their duties of neutrality throughout the hostilities, brings the following regulations to the notice of the British Embassy:

1. Entry to Turkish ports, roadsteads, and territorial waters, is forbidden to warships belonging to belligerent powers, except in the case of damage, or by reason of the state of the sea. In these cases they may only remain strictly the length of time actually necessary for the repair of the said damage, or to wait until the state of the sea has improved.

2. Every belligerent vessel, which shall ask permission to enter a Turkish port or roadstead for purposes of refueling or re-victualing, may be authorized to do so, on condition that the authorization of the local Turkish authority is obtained, after having declared the reasons for her arrival; that she does not remain more than 24 hours in the said port or roadstead; and that there be not more than three vessels under the same flag simultaneously in the same port or roadstead.

3. The ports of Smyrna and Beirut are prohibited to the said ships, as are the inland waters, access to which is barred either by submarine mines or by other defensive means.

4. If the warship does not leave Turkish waters within the period provided for above, the Turkish Government will take such steps as they may deem necessary to render the vessel incapable of putting to sea during the war.

5. Warships are expected to respect the sovereign rights of the Turkish Empire, to refrain from all acts prejudicial to Turkish

neutrality, and not to commit any hostile acts in Turkish territorial waters, including capture and the right of search.

6. If enemy belligerent warships happen to be simultaneously in the same Turkish port or roadstead, at least 24 hours must elapse between the departure of one belligerent warship and that of the other enemy belligerent warship, the order of departure being decided by that of arrival, unless the vessel which arrived first be obliged to remain for reasons foreseen above in No. 1. Similarly a belligerent warship may only leave a Turkish port or roadstead 24 hours after the departure of a merchant vessel under an enemy flag.

7. In nonprohibited Turkish ports and roadsteads belligerent warships may only repair damages to such an extent as is consonant with the safety of navigation, and may not increase their military strength in any manner whatsoever. The Turkish authorities will verify the nature of the repairs to be made; these must be carried out as quickly as possible.

8. The said vessels may only revictual up to their normal supply in peace time. Nevertheless, in the exceptional circumstances of the present war, the Turkish authorities may, in the first instance, reduce this supply, according to the requirements of the districts, to what is strictly necessary to reach the nearest neutral foreign port, and may refuse all supplies in the case of a second return by vessels of a like belligerent nation.

9. Such vessels may only take in sufficient fuel to reach the nearest harbor in their own country, or of a country the administration of which is intrusted to their Government, or of an allied country, at the discretion of the local Turkish authority. The preceding restrictions concerning supplies will be applicable to fuel.

10. The Turkish sanitary, pilotage, customs, port, and lighthouse regulations must be observed and respected by belligerent warships.

11. It is forbidden to bring prizes into any of the (nonprohibited) Turkish ports or roadsteads, save in the case of impossibility of navigation or roughness of the sea, lack of fuel or provisions, in which case permission must be asked from the local Turkish authorities; the latter will grant it after verification of the aforesaid cause. The prize shall be required to leave as soon as the said cause shall have ceased to exist; the taking in of fuel and provisions shall be carried out in accordance with the conditions laid down for warships.

No prize court may be established by a belligerent either on Turkish territory or on a vessel in Turkish territorial waters.

12. Belligerents are forbidden to make Turkish harbors and roadsteads a base for naval operations against their adversaries; to erect on land or in territorial waters any wireless telegraphy

station or installation destined to serve as a means of communication with belligerent forces by land or sea; to establish depots of fuel either on Turkish territory or on ships stationed in Turkish territorial waters.

13. The above provisions in no way supersede the regulations governing the Straits, which remain as established by international treaty.

14. General international law is applicable in all questions not provided for in the above regulations.

CONSTANTINOPLE, *September 28, 1914.*

*Proclamation of war against Great Britain, Russia, and France,
November 14, 1914.¹*

[Translated from the *Corriere della Sera*, Nov. 16, 1914.]

**Official Note Issued by the Turkish Government in Reply to the Circular
Addressed by Sir Edward Grey to the Powers.**

England complains that Turkey, without any preliminary notice, bought two warships from Germany. It should be borne in mind, however, that before war was declared the English Government ordered the seizure of two dreadnaughts that were being built for Turkey in British yards, and that one of these dreadnaughts, the *Sultan Osman*, was seized half an hour before the appointed time when the Turkish flag was to have been raised over the ship; and that finally no indemnity was paid for these confiscations.

It is natural, therefore, that Turkey, finding itself deprived of the two warships that were considered indispensable for the defense of the Empire, hastened to remedy the loss by acquiring the two ships offered in a friendly spirit by the German Government.

England complains of the closing of the Dardanelles. But the responsibility for this act falls on the British Government, as will appear from the following reasons, which determined the Turkish Government to take the final decision: In spite of the neutrality of Turkey, England, under the pretext that German officers were serving on Turkish ships, declared officially that Turkish war vessels would be considered as hostile craft, and would be attacked by the British fleet anchored at the entrance of the Straits.

In view of this hostile declaration Turkey found itself compelled to close the Dardanelles in order to insure the safety of the capital. And as to the claims of England, it is evident that

¹ "AMSTERDAM, *November 13, 1914.*

A telegram from Constantinople received here via Berlin states that the Porte has published an *iradé* containing Turkey's declaration of war against the allied powers—REUTER." (London Times, Nov. 14, 1914, p. 7, c.)

the presence of German officers on the Turkish warships was a question of internal politics and should not, therefore, have given rise to any protest on the part of a foreign power.

(The note goes on to say that England, though asked to intervene in behalf of Turkey during the Balkan war, did everything that was in its power to bring about the downfall of the Turkish Empire. And when Adrianople was recaptured by the Turkish Army, the British prime minister did not hesitate to threaten Turkey with collective punishment on the part of the great powers if the city were not evacuated by the Turkish forces. The note continues as follows:)

The designs of the British are not limited to the countries of Europe; they extend to the Gulf of Persia. England has carried out its plan of impairing the sovereign rights of Turkey and of opening up a way of access into Arabia, for a long time coveted by the English.

Faithful to its policy of hostility England has ever opposed the attempts at reforms in Turkey. It exerted all its influence to prevent the powers from furnishing expert technical help to the Turkish Government. The Kaiser alone, disregarding the intrigues of Great Britain, authorized S. E. Liman von Sanders, Pasha, to reorganize the Turkish Army, that army which is challenging the British forces.

(After having recalled the Franco-British convention of 1904, which "passed a sentence of death on Morocco and on Egypt," and the agreement with Russia in reference to Persia, the note concludes:)

England for more than a century has been striving to destroy the freedom of the Moslem so as to open up their countries to the greedy exploitation of the British merchants. The English Government, pursuing its program of hatred against the Moslem States, has succeeded in giving to its policy a religious color which insures to it the support and the adhesion of the English people, puritanic and fanatical.

Let us be grateful to God who has given us the opportunity of victoriously defending the welfare of Islam against its three ruthless enemies, England, Russia, and France.

Proclamation of a Holy War, the "Fetva," November 15, 1914.¹

[Translated from the *Corriere della Sera*, Nov. 16, 1914.]

CONSTANTINOPLE, November 15, 1914.

Sixty thousand persons or thereabouts participated to-day in a mass meeting organized by several patriotic associations. The

¹ "Turkey, having declared a holy war on Serbia and its allies, treaties, conventions, and agreements concluded between Turkey and Serbia cease to have effect, thus the treaty of Mar. 1, 1914, terminates from the 1st of December." (Serbian Official Journal, Jan. 8, 1915; Rev. Gén., Doc. 22: 103.)

different corporations that took part in the event marched to Fatickh Square, in the old Stamboul, where an immense crowd had assembled. In the mosque of Fatickh the "Fetva" proclaiming the Holy War was read by a special delegation of the Sheik ul Islam. The text of the "Fetva" drawn in the form of answers and questions as required by the rules of Islam is as follows:

"If several enemies unite against Islam, if the countries of Islam are sacked, if the Moslem populations are massacred or made captive, and if in this case the Padishah in conformity with the sacred words of the Koran proclaims the Holy War, is a participation in this war a duty for all Moslems, old and young, cavalry and infantry? Must the Mohammedans of all countries of Islam hasten with their bodies and possessions to the Djat?" (Jehad) (Holy War).

Answer. "Yes."

"The Moslem subjects of Russia, of France, of England, and of all the countries that side with them in their land and sea attacks dealt against the Caliphate for the purpose of annihilating Islam, must these subjects, too, take part in the Holy War against the respective governments from which the depend?"

Answer. "Yes."

"Those who at a time when all Moslems are summoned to fight, avoid the struggle and refuse to join in the Holy War, are they exposed to the wrath of God, to great misfortunes, and to the deserved punishment?"

Answer. "Yes."

"If the Moslem subjects of the said countries should take up arms against the Government of Islam, would they commit an unpardonable sin, even if they have been driven to the war by threats of extermination uttered against themselves and their families?"

Answer. "Yes."

"The Moslems who in the present war are under England, France, Russia, Servia, Montenegro, and those who give aid to these countries by waging war against Germany and Austria, allies of Turkey, do they deserve to be punished by the wrath of God as being the cause of harm and damage to the Caliphate and to Islam?"

Answer. "Yes."

Circular relating to hostilities in Egypt and the Suez Canal, May, 1915.

[Rev. Gén., Doc. 22:214.]

Considering that the British Government not only has failed to observe, in reference to the powers, the engagements to which it is bound by the convention of 1888, stipulating that no war vessel can remain in the Suez Canal, but also it is now fortifying

the canal, while, on the other hand, the French Government, in view of hostile action against the Ottoman Empire, has landed troops in Egypt, the Imperial Ottoman Government, by reason of these facts, considers itself under the imperious necessity of taking military measures for the protection of the Imperial territory, of which Egypt forms a part, and of extending hostilities to the Suez Canal. If such measures cause any injury whatever to neutral vessels, it is thus evident that the responsibility will be upon the French and British Governments.

*Notification of declaration of war against Roumania, 8 p. m., August 31, 1916.*¹

[Rev. Gén., Doc. 23 : 199.]

The Council of Ottoman Ministers met on August 28, 1916, and decided to declare war on Roumania. This decision was immediately sanctioned by an *iradé* of the Sultan.

UNITED STATES.

BREAKING DIPLOMATIC RELATIONS AND WAR DECLARATIONS.

Note breaking diplomatic relations with Germany, February 3, 1917.

The Secretary of State to the German Ambassador.

No. 2307.]

DEPARTMENT OF STATE,
Washington, February 3, 1917.

EXCELLENCY: In acknowledging the note with accompanying memoranda, which you delivered into my hands on the afternoon of January 31, and which announced the purpose of your Government as to the future conduct of submarine warfare, I would direct your attention to the following statements appearing in the correspondence which has passed between the Government of the United States and the Imperial German Government in regard to submarine warfare.

This Government on April 18, 1916, in presenting the case of the *Sussex*, declared—

If it is still the purpose of the Imperial Government to prosecute relentless and indiscriminate warfare against vessels of commerce by the use of submarines without regard to what the Government of the United States must consider the sacred and indisputable rules of international law and the universally recognized dictates of humanity, the Government of the United States is at last forced to the conclusion that there is but one course it can pursue. Unless the Imperial Government should now immediately declare and effect an abandonment of its present methods of submarine warfare against passenger and freight-carrying vessels, the Government of the United States can have no choice but to sever diplomatic relations with the German Empire altogether.

¹ The declaration was delivered to the Roumanian minister at Constantinople, 8 p. m., Aug. 31, 1916. (Am. Journ. Int. Law, 11, 168.)

In reply to the note from which the above declaration is quoted your excellency's Government stated in a note dated May 4, 1916—

The German Government, guided by this idea, notifies the Government of the United States that the German naval forces have received the following orders: In accordance with the general principles of visit and search and destruction of merchant vessels recognized by international law, such vessels, both within and without the area declared as naval war zone, shall not be sunk without warning and without saving human lives, unless these ships attempt to escape or offer resistance.

But neutrals can not expect that Germany, forced to fight for her existence, shall, for the sake of neutral interests, restrict the use of an effective weapon if her enemy is permitted to continue to apply at will methods of warfare violating the rules of international law. Such a demand would be incompatible with the character of neutrality, and the German Government is convinced that the Government of the United States does not think of making such a demand, knowing that the Government of the United States has repeatedly declared that it is determined to restore the principle of the freedom of the seas, from whatever quarter it has been violated.

To this reply this Government made answer on May 8, 1916, in the following language:

The Government of the United States feels it necessary to state that it takes it for granted that the Imperial German Government does not intend to imply that the maintenance of its newly announced policy is in any way contingent upon the course or result of diplomatic negotiations between the Government of the United States and any other belligerent Government, notwithstanding the fact that certain passages in the Imperial Government's note of the 4th instant might appear to be susceptible of that construction. In order, however, to avoid any possible misunderstanding, the Government of the United States notifies the Imperial Government that it can not for a moment entertain, much less discuss, a suggestion that respect by German naval authorities for the rights of citizens of the United States upon the high seas should in any way or in the slightest degree be made contingent upon the conduct of any other Government affecting the rights of neutrals and noncombatants. Responsibility in such matters is single, not joint; absolute, not relative.

To this Government's note of May 8 no reply was made by the Imperial Government.

In one of the memoranda accompanying the note under acknowledgment, after reciting certain alleged illegal measures adopted by Germany's enemies, this statement appears:

The Imperial Government, therefore, does not doubt that the Government of the United States will understand the situation thus forced upon Germany by the entente-allies' brutal methods of war and by their determination to destroy the central powers, and that the Government of the United States will further realize that the now openly disclosed intentions of the entente-allies give back to Germany the freedom of action which she reserved in her note addressed to the Government of the United States on May 4, 1916.

Under these circumstances Germany will meet the illegal measures of her enemies by forcibly preventing, after February 1, 1917, in a zone around Great Britain, France, Italy, and in the eastern Mediterranean all navigation, that of neutrals included, from and to England and from and to France, etc. All ships met within the zone will be sunk.

224 *American Notification as to Diplomatic Relations.*

In view of this declaration, which withdraws suddenly and without prior intimation the solemn assurance given in the Imperial Government's note of May 4, 1916, this Government has no alternative consistent with the dignity and honor of the United States but to take the course which it explicitly announced in its note of April 18, 1916, it would take in the event that the Imperial Government did not declare and effect an abandonment of the methods of submarine warfare then employed and to which the Imperial Government now purposes again to resort.

The President has, therefore, directed me to announce to your excellency that all diplomatic relations between the United States and the German Empire are severed, and that the American ambassador at Berlin will be immediately withdrawn, and in accordance with such announcement to deliver to your excellency your passports.

I have, etc.,

ROBERT LANSING.

Notification of breaking diplomatic relations with Germany February 4, 1917.

The State Department to American Diplomatic Representatives in Neutral Countries.

WASHINGTON, *February 4.*

You will immediately notify the Government to which you are accredited that the United States, because of the German Government's recent announcement of its intention to renew unrestricted submarine warfare, has no choice but to follow the course laid down in its note of April 18, 1916 (the *Sussex* note).

It has, therefore, recalled the American ambassador to Berlin and has delivered passports to the German ambassador to the United States.

Say also that the President is reluctant to believe Germany actually will carry out her threat against neutral commerce, but if it be done the President will ask Congress to authorize use of the national power to protect American citizens engaged in their peaceful and lawful errands on the seas.

The course taken is, in the President's view, entirely in conformity with the principles he enunciated in his address to the Senate January 22 (the address proposing a world league for peace).

He believes it will make for the peace of the world if other neutral powers can find it possible to take similar action.

Report fully and immediately on the reception of this announcement and upon the suggestion as to similar action.

Declaration of War against Germany. 225

Notification of arming of merchant vessels, March 12, 1917.

Statement Given to the Press March 12, 1917.

DEPARTMENT OF STATE,
Washington, March 12, 1917.

The Department of State has to-day sent the following statement to all foreign missions in Washington for their information:

In view of the announcement of the Imperial German Government on January 31, 1917, that all ships, those of neutrals included, met within certain zones of the high seas, would be sunk without any precautions being taken for the safety of the persons on board, and without the exercise of visit and search, the Government of the United States has determined to place upon all American merchant vessels sailing through the barred areas, an armed guard for the protection of the vessels and the lives of the persons on board.

Declaration of war against Germany, 1.18 p. m., April 6, 1917.¹

[Public resolution No. 1—65th Cong.]

[S. J. Res. 1.]

Sixty-fifth Congress of the United States of America. At the first session begun and held at the city of Washington on Monday the 2d day of April, 1917.

Joint resolution declaring that a state of war exists between the Imperial German Government and the Government and the people of the United States and making provision to prosecute the same.

Whereas the Imperial German Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore, be it

¹ The resolution was signed by President Wilson at 1.18 p. m., Apr. 6, 1917. (New York Times, Apr. 7, 1917, p. 1. h.)

The Judge Advocate General of the Army has delivered the following opinion:

Upon the question raised as to the "date of commencement of the present war," with references to the action which should be taken on claims of officers and enlisted men of property destroyed in the military service under the act of Congress approved March 3, 1885, providing that the act "shall not apply to losses sustained in time of war or hostilities with Indians."

Held, that the date of the commencement of the present war should be regarded as the date of approval of the joint resolution of Congress of April 6, 1917 (Pub. No. 1, 65th Cong.), formally declaring a state of war as existing between the United States and the Imperial German Government.

(18-461, J. A. G., June 30, 1917. U. S. Official Bulletin, No. 120, p. 6.)

"The words 'the beginning of the war,' as used herein, shall be deemed to mean midnight ending the day on which Congress has declared or shall declare war or the existence of a state of war." Act Oct. 6, 1917 (Trading with the enemy act), sec. 2.

226 *Proclamation of War against Germany.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

CHAMP CLARK,

Speaker of the House of Representatives.

THOS. R. MARSHALL,

Vice President of the United States and

President of the Senate.

Approved, April 6, 1917.

WOODBROW WILSON,

Proclamation of war with Germany, April 6, 1917.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United in the exercise of the constitutional authority vested in them have resolved, by joint resolution of the Senate and House of Representatives bearing date this day "That the state of war between the United States and the Imperial German Government which has been thrust upon the United States is hereby formally declared";

Whereas it is provided by section 4067 of the Revised Statutes, as follows:

Whenever there is declared a war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted or threatened against the territory of the United States, by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upwards, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, toward the aliens who become so liable; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any such regulations which are found necessary in the premises and for the public safety;

Whereas, by sections 4068, 4069, and 4070 of the Revised Statutes, further provision is made relative to alien enemies;

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby proclaim to all whom it may concern that a state of war exists between the United States and the Imperial German Government; and I do specially direct all officers, civil or military, of the United States that they exercise vigilance and zeal in the discharge of the duties incident to such a state of war; and I do, moreover, earnestly appeal to all American citizens that they, in loyal devotion to their country, dedicated from its foundation to the principles of liberty and justice, uphold the laws of the land, and give undivided and willing support to those measures which may be adopted by the constitutional authorities in prosecuting the war to a successful issue and in obtaining a secure and just peace;

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the said sections of the Revised Statutes, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens, or subjects of Germany, being male of the age of 14 years and upwards, who shall be within the United States and not actually naturalized, who for the purpose of this proclamation and under such sections of the Revised Statutes are termed alien enemies, shall be as follows:

All alien enemies are enjoined to preserve the peace toward the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof, and to refrain from actual hostility or giving information, aid or comfort to the enemies of the United States, and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President; and so long as they shall conduct themselves in accordance with law, they shall be undisturbed in the peaceful pursuit of their lives and occupations and be accorded the consideration due to all peaceful and law-abiding persons, except so far as restrictions may be necessary for their own protection and for the safety of the United States; and towards such alien enemies as conduct themselves in accordance with law, all citizens of the United States are enjoined to preserve the peace and to treat them with all such friendliness as may be compatible with loyalty and allegiance to the United States.

And all alien enemies who fail to conduct themselves as so enjoined, in addition to all other penalties prescribed by law, shall be liable to restraint or to give security, or to remove and depart from the United States in the manner prescribed by sections 4069 and 4070 of the Revised Statutes, and as prescribed in the regulations duly promulgated by the President;

And pursuant to the authority vested in me, I hereby declare and establish the following regulations, which I find necessary in the premises and for the public safety:

(1) An alien enemy shall not have in his possession, at any time or place, any firearm, weapon, or implement of war, or component part thereof, ammunition, machine or other silencer, bomb or explosive or material used in the manufacture of explosives;

(2) An alien enemy shall not have in his possession at any time or place, or use or operate any aircraft or wireless apparatus, or any form of signalling device, or any form of cipher code, or any paper, document or book written or printed in cipher in which there may be invisible writing;

(3) All property found in the possession of an alien enemy in violation of the foregoing regulations shall be subject to seizure by the United States;

(4) An alien enemy shall not approach or be found within one-half of a mile of any Federal or State fort, camp, arsenal, aircraft station, Government or naval vessel, navy yard, factory, or workshop for the manufacture of munitions of war or of any products for the use of the army or navy.

(5) An alien enemy shall not write, print, or publish any attack or threat against the Government or Congress of the United States, or either branch thereof, or against the measures or policy of the United States, or against the person or property of any person in the military, naval, or civil service of the United States, or of the States or Territories, or of the District of Columbia, or of the municipal governments therein;

(6) An alien enemy shall not commit or abet any hostile act against the United States, or give information, aid or comfort to its enemies;

(7) An alien enemy shall not reside in or continue to reside in, or remain in, or enter any locality which the President may from time to time designate by Executive order as a prohibited area in which residence by an alien enemy shall be found by him to constitute a danger to the public peace and safety of the United States, except by permit from the President and except under such limitations or restrictions as the President may prescribe;

(8) An alien enemy whom the President shall have reasonable cause to believe to be aiding or about to aid the enemy, or to be at large to the danger of the public peace or safety of the United States or to have violated or to be about to violate any of these regulations, shall remove to any location designated by the President by Executive order, and shall not remove therefrom without permit, or shall depart from the United States if so required by the President;

(9) No alien enemy shall depart from the United States until he shall have received such permit as the President shall prescribe, or except under order of a court, judge, or justice, under sections 4069 and 4070 of the Revised Statutes;

Breaking Diplomatic Relations with Turkey. 229

(10) No alien enemy shall land in or enter the United States, except under such restrictions and at such places as the President may prescribe;

(11) If necessary to prevent violation of these regulations, all alien enemies will be obliged to register;

(12) An alien enemy whom there may be reasonable cause to believe to be aiding or about to aid the enemy, or who may be at large to the danger of the public peace or safety, or who violates or who attempts to violate, or of whom there is reasonable ground to believe that he is about to violate any regulation duly promulgated by the President, or any criminal law of the United States, or of the States or Territories thereof, will be subject to summary arrest by the United States marshal, or his deputy, or such other officer as the President shall designate, and to confinement in such penitentiary, prison, jail, military camp, or other place of detention as may be directed by the President.

This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 6th day of April, in the year of our Lord 1917, and of the independence of the United States the one hundred and forty-first.

[SEAL.]

WOODROW WILSON.

By the President:

ROBERT LANSING,

Secretary of State.

Notification of breaking diplomatic relations with Turkey, April 24, 1917.

The Department of State is advised by a telegram from the American embassy in Constantinople, dated April 20, forwarded through the legation in Berne, that the Imperial Turkish Government on April 20 informed the embassy that, as the Government of the United States had declared itself to be in a state of war with Germany, the Ottoman Government's ally, it found it necessary to sever its diplomatic relations with the United States as from that date.

American interests in Turkey have been confided to the Swedish minister.

230 *American Declaration against Austria.*

Declaration of war against Austria-Hungary, 5.03 p. m., December 7, 1917.¹

[Public Resolution No. 17, 65th Cong.]

Sixty-fifth Congress of the United States of America, at the second session, begun and held at the city of Washington on Monday, the 8d day of December, 1917.

Joint resolution declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and people of the United States and making provision to prosecute the same.

Whereas the Imperial and Royal Austro-Hungarian Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a state of war is hereby declared to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government; and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States

CHAMP CLARK,

Speaker of the House of Representatives.

THOMAS R. MARSHALL,

*Vice President of the United States
and President of the Senate.*

Approved, 7th of December, 1917.

WOODBROW WILSON.

Proclamation of war against Austria-Hungary, December 11, 1917.

[U. S. Official Bulletin, No. 183, p. 1.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the Congress of the United States, in the exercise of the constitutional authority vested in them, have resolved, by joint resolution of the Senate and House of Representatives bearing date of December 7, 1917, as follows:

Whereas the Imperial and Royal Austro-Hungarian Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it

¹ The resolution was signed by President Wilson at 5.03 p. m., Dec. 7, 1917. (New York Times, Dec. 8, 1917, p. 1, a.)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a state of war is hereby declared to exist between the United States of America and the Imperial and Royal Austro-Hungarian Government; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial and Royal Austro-Hungarian Government; and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

Whereas, by sections 4067, 4068, 4069, and 4070 of the United Statutes, provision is made relative to natives, citizens, denizens, or subjects of a hostile nation or government, being males of the age of 14 years and upwards, who shall be in the United States and not actually naturalized;

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby proclaim to all whom it may concern that a state of war exists between the United States and the Imperial and Royal Austro-Hungarian Government; and I do specially direct all officers, civil or military, of the United States that they exercise vigilance and zeal in the discharge of the duties incident to such a state of war; and I do, moreover, earnestly appeal to all American citizens that they, in loyal devotion to their country, dedicated from its foundation to the principles of liberty and justice, uphold the laws of the land and give undivided and willing support to those measures which may be adopted by the constitutional authorities in prosecuting the war to a successful issue and in obtaining a secure and just peace;

And, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid sections of the Revised Statutes, I do hereby further proclaim and direct that the conduct to be observed on the part of the United States toward all natives, citizens, denizens, or subjects of Austria-Hungary, being males of the age of 14 years and upward who shall be within the United States and not actually naturalized, shall be as follows:

All natives, citizens, denizens, or subjects of Austria-Hungary, being males of 14 years and upwards, who shall be within the United States and not actually naturalized, are enjoined to preserve the peace toward the United States and to refrain from crime against the public safety, and from violating the laws of the United States and of the States and Territories thereof, and to refrain from actual hostility or giving information, aid, or comfort to the enemies of the United States, and to comply strictly with the regulations which are hereby or which may be from time to time promulgated by the President; and so long as they shall conduct themselves in accordance with law they shall be undisturbed in the peaceful pursuit of their lives and occupations, and be accorded the consideration due to all peaceful and law-abiding persons, except so far as restrictions may be necessary for their

own protection and for the safety of the United States; and toward such of said persons as conduct themselves in accordance with law all citizens of the United States are enjoined to preserve the peace and to treat them with all such friendliness as may be compatible with loyalty and allegiance to the United States.

And all natives, citizens, denizens, or subjects of Austria-Hungary, being males of the age of 14 years and upward, who shall be within the United States and not actually naturalized, who fail to conduct themselves as so enjoined, in addition to all other penalties prescribed by law, shall be liable to restraint, or to give security, or to remove and depart from the United States in the manner prescribed by sections 4069 and 4070 of the Revised Statutes, and as prescribed in regulations duly promulgated by the President;

And pursuant to the authority vested in me, I hereby declare and establish the following regulations, which I find necessary in the premises and for the public safety:

(1) No native, citizen, denizen, or subject of Austria-Hungary, being a male of the age of 14 years and upward and not actually naturalized, shall depart from the United States until he shall have received such permit as the President shall prescribe, or except under order of a court, judge, or justice, under sections 4069 and 4070 of the Revised Statutes;

(2) No such person shall land in or enter the United States, except under such restrictions and at such places as the President may prescribe;

(3) Every such person of whom there may be reasonable cause to believe that he is aiding or about to aid the enemy, or who may be at large to the danger of the public peace or safety, or who violates or attempts to violate, or of whom there is reasonable ground to believe that he is about to violate any regulation duly promulgated by the President, or any criminal law of the United States, or of the States or Territories thereof, will be subject to summary arrest by the United States marshal, or his deputy, or such other officers as the President shall designate, and to confinement in such penitentiary, prison, jail, military camp, or other place of detention as may be directed by the President.

This proclamation and the regulations herein contained shall extend and apply to all land and water, continental or insular, in any way within the jurisdiction of the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 11th of December, A. D. 1917, and of the independence of the United States the 142d.

WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.

*Memorandum in reference to the neutrality of Switzerland, December 3, 1917.*¹

[U. S. Official Bulletin, No. 181, p. 1.]

Under instructions from the Department of State, the chargé d'affaires at Berne has presented to the Swiss Government the following memorandum:

In view of the presence of American forces in Europe engaged in the prosecution of the war against the Imperial German Government, the Government of the United States deems it appropriate to announce for the assurance of the Swiss Confederation and in harmony with the attitude of the cobelligerents of the United States in Europe, that the United States will not fail to observe the principle of neutrality applicable to Switzerland and the inviolability of its territory, so long as the neutrality of Switzerland is maintained by the Confederation and respected by the enemy.

DEFENSIVE SEA AREAS.

Executive order establishing defensive sea areas, April 5, 1917.

[U. S. Official Bulletin, No. 3, p. 6.]

In accordance with the authority vested in me by section 44 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended by the act "making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917, I, Woodrow Wilson, President of the United States of America, do order that defensive sea areas are hereby established, to be maintained until further notification, at the places and within the limits prescribed as follows, that is to say:

MOUTH OF KENNEBEC RIVER.

Outer limit: Arc of circle with Pond Island Light as center, radius 2 nautical miles.

Inner limit: A line east and west (true) through Perkins Island Light.

PORTLAND.

Outer limit: Arc of circle center Portland Head Light, radius 2 nautical miles.

Inner limit: Line Portland Breakwater Light to west bastion Fort Gorges.

PORTSMOUTH.

Outer limit: Arc of circle with Whaleback Reef Light as center, radius 2½ nautical miles.

Inner limit: A line south (true) from southwest point of Clarks Island.

¹ For Swiss reply, see *supra* p. 216.

BOSTON.

Outer limit: Line from Strawberry Point to Spouting Horn.

Inner limit: Line west tangent Sheep Island to wharf on east side of Long Island. Line from wharf west side Long Island to large wharf west side of Deer Island.

NEW BEDFORD.

Outer limit: Arc of circle, center the east point of reef off Clark Point, radius distance to Dumping Rocks Lighthouse.

Inner limit: Line between Butler Flats Light and Egg Island beacon.

NEWPORT.

Outer limit: Arc of circle with Beaver Tail Light as center and radius of 2 nautical miles.

Inner limit: Fort Adams fog bell to north tangent of North Dumpling. East and west line through Plum Beach light.

LONG ISLAND EAST.

Outer limit: Line joining Watch Hill and Montauk Point lights.

Inner limit: Line joining Plum Island Light and Mumford Point.

NEW YORK EAST.

Outer limit: Line joining Execution Rocks Light and east tangent of Huckleberry Island.

Inner limit: A line north (true) through Whitestone Point Light.

NEW YORK MAIN ENTRANCE.

Outer limit: Arc of circle center Romer Shoal Light, radius six (6) nautical miles.

Inner limit: Line west (true) from flagpole on wharf at Fort Hamilton.

DELAWARE RIVER.

Outer limit: East and west line through north end of Reedy Island.

Inner limit: East and west line through Finns Neck Rear Range Light.

CHESAPEAKE ENTRANCE.

Outer limit: Line parallel to that joining Cape Henry Light and Cape Charles Light and four (4) nautical miles to eastward

thereof, and the lines from Cape Charles Light and from Cape Henry Light perpendicular to this line.

Inner limit: Line parallel to line joining Cape Henry Light and Cape Charles Light and three (3) nautical miles to westward thereof.

BALTIMORE.

Outer limit: Line from Persimmon Point to Love Point.

Inner limit: Line joining Leading Point Range Light (Rear) and Sollers Point.

POTOMAC.

Outer limit: Line from Marshall Hall wharf to south extremity of Ferry Point.

Inner limit: Line from River View wharf drawn west (true).

HAMPTON ROADS.

Outer limit: Line from Black River Light to point one (1) nautical mile east (true) of Thimble Shoal Light; then south (true) to shore.

Inner limit: Line tangent to end of wharf on west side of Old Point Comfort and Fort Wool.

WILMINGTON—CAPE FEAR.

Outer limit: Oak Island Life-Saving Station as center of arc, radius five (5) nautical miles.

Inner limit: Line joining south end of Fort Caswell and Smith Island Range Beacon (Rear).

CHARLESTON.

Outer limit: Arc of circle with Fort Sumter Light as center, radius six (6) nautical miles.

Inner limit: Line joining Charleston Light and Fort Sumter Light.

SAVANNAH.

Outer limit: Arc of circle with Tybee Island Light as center, radius ten (10) nautical miles.

Inner limit: Line across channel through southeast end of Cockspur Island.

KEY WEST.

Outer limit: Arc of circle with Key West Light as center, radius seven (7) nautical miles.

Inner limit: Line joining south tangent East Crawfish Key and south tangent of Fort Taylor.

TAMPA.

Outer limit: Arc of circle with Egmont Key Light as center, radius six (6) nautical miles.

Inner limit: Line tangent to southwest point of Mullet Key and east tangent of Passage Key.

PENSACOLA.

Outer limit: Arc of circle, center Cut (Front) Range Light, radius six (6) nautical miles.

Inner limit: South (true) from east corner of dock at navy yard, old dry-dock slip.

MOBILE.

Outer limit: Arc of circle with Fort Morgan Light as center, radius (six) 6 nautical miles.

Inner limit: Fort Gaines to Fort Morgan.

MISSISSIPPI.

Outer limit: Lucas Canal.

Inner limit: Bolivar Point.

GALVESTON.

Outer limit: Arc of circle with Fort Point Light as center, radius five (5) nautical miles.

Inner limit: Line joining Bolivar Point and Fort Point Lights.

SAN DIEGO.

Outer limit: Arc of circle with Point Loma Light as center, radius two (2) nautical miles.

Inner limit: Line joining Beacons Nos. 3 and 4.

SAN FRANCISCO.

Outer limit: Arc of circle with center at middle point of line joining Point Bonita Light and Rock at Cliff House, radius four (4) nautical miles.

Inner limit: Line from Bluff Point to Point Campbell on Angel Island and line from Quarry Point on Angel Island to extreme western point on Goat Island; also line from extreme western point on Goat Island to North Point, San Francisco.

COLUMBIA RIVER.

Outer limit: Arc of circle with center three (3) nautical miles south (true) from North Head Light, radius three (3) nautical miles.

Inner limit: Line from wharf at Flavel Tansy Point at right angles to axis of channel.

PORT ORCHARD.

Outer limit: Arc of circle, center Orchard Rock Spindle, radius two (2) nautical miles.

Inner limit: Line from Point White at right angles to axis of channel to opposite bank.

HONOLULU.

Outer limit: Arcs of circles centers Diamond Head Light and Honolulu Harbor Light, radii nine (9) nautical miles.

Inner limit: Line across channel at No. 7 fixed light.

MANILA.

Outer limit: Line through Luzon Point and Fuego Point.

Inner limit: Line through San Nicolas Shoal Light and Mt. Sun-
gay.

The responsibility of the United States of American for any damage inflicted by force of arms with the object of detaining any person or vessel proceeding in contravention to regulations duly promulgated in accordance with this Executive order shall cease from this date.

WOODROW WILSON.

THE WHITE HOUSE,

April 5, 1917.

Regulations for carrying into effect the Executive order of the President establishing defensive sea areas, April 5, 1917.

[U. S. Official Bulletin, No. 3, p. 7.]

Whereas in accordance with section forty-four of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, as amended by "An act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes," approved March fourth, nineteen hundred and seventeen, defensive sea areas have been established by my order of April 5, 1917.

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby authorize and promulgate the following orders and regulations for the government of persons and vessels within the limits of defensive sea areas, which orders and regulations are necessary for purposes of national defense:

I. In the neighborhood of each defensive sea area entrances have been designated for incoming and outgoing vessels, including, in the case of areas across which more than one channel exists, an entrance for each channel. These entrances are described in Article X of these regulations in conjunction with the areas to which they respectively pertain.

II. A vessel desiring to cross a defensive sea area shall proceed to the vicinity of the entrance to the proper channel, flying her national colors, together with international code number and pilot signal and there await communication with the harbor-entrance patrol. It is expressly prohibited for any vessel to enter the limits of a defensive sea area otherwise than at a designated entrance and after authorization by the harbor-entrance patrol.

III. Boats and other craft employed in the harbor-entrance patrol will be distinguished by the union jack, which will be shown from a position forward: they will also fly the usual naval pennant. At night they

may show a vertical hoist of three lights—white, red, and white, in the order named.

IV. On receiving permission from the harbor-entrance patrol to enter a defensive sea area, a vessel must comply with all instructions as to pilotage and other matters that she may receive from proper authority, either before or during her passage across the area. It is understood that only upon condition of such compliance is the said permission granted.

V. No permission will be granted to other than a public vessel of the United States to cross a defensive sea area between sunset and sunrise, nor during the prevalence of weather conditions that render navigation difficult or dangerous. A vessel arriving off a defensive sea area after sunset shall anchor or lie-to at a distance of at least a mile outside its limits until the following sunrise; vessels discovered near the limits of the areas at night may be fired upon.

VI. No vessel shall be permitted to proceed within the limits of a defensive sea area at a greater speed than five (5) knots per hour.

VII. All matters pertaining to fishery and the passage of small crafts within a defensive sea area shall be regulated by the senior officer of the harbor-entrance patrol.

VIII. These regulations are subject to modification by the senior officer of the harbor-entrance patrol when the public interest may require, and such notification as circumstances may permit will be issued regarding modifications thus made.

IX. Any master of a vessel or other person within the vicinity of a defensive sea area who shall violate these regulations, or shall fail to obey an order to stop or heave-to, or shall perform any act threatening the efficiency of mine or other defenses or the safety of navigation, or shall take any action inimical to the interests of the United States in its prosecution of war, may be detained therein by force of arms and renders himself liable to prosecution as provided for in the act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, as amended by "the act making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes," approved March 4, 1917.

X. The designated entrances to defensive sea areas referred to in article 1 of these regulations shall be as follows:

DEFENSIVE SEA AREA.

Designated entrances for incoming vessels.	Designated entrances for outgoing vessels.
Kennebec River, Me.: Seguin Island Light bearing west (true) distant 1 nautical mile.	In the channel between Perkins Island and Bald Head.
Portland, Me.: Portland Head Light bearing northwest (true) distant 2½ nautical miles.	In harbor north of Portland Breakwater Light.
Portsmouth, N. H.: At a point one-half nautical mile south (true) of Gunboat Shoal Buoy.	In the channel to the westward of Clark Island.
Boston, Mass.: Boston Light Vessel.....	In President Roads west of a line drawn north and south (true), one-half nautical mile west of Deer Island Light.
New Bedford, Mass.: Dumpling Rocks Light bearing northwest (true) distant 1½ nautical miles.	In the channel west of Egg Island Beacon.
Newport, R. I.: Beaver Tail Light bearing north (true) distant 2½ nautical miles.	In the channel west of Goat Island. In the channel northeast (true) of Plum Perch Light.

DEFENSIVE SEA AREA—Continued.

Designated entrances for incoming vessels.	Designated entrances for outgoing vessels.
Long Island Sound, eastern entrance: Watch Hill Light bearing northwest (true) distant 5 nautical miles.	Bartlett Reef Light Vessel.
Long Island Sound, west end: Execution Rocks Light bearing southwest (true) distant 1 nautical mile.	In channel west of a line drawn north (true) from Whitestone Light.
New York, southern entrance: Sandy Hook Light bearing west (true) distant 10 nautical miles.	In Narrows north of a line drawn west (true) from flagpole on Fort Hamilton Wharf.
Delaware River: In the channel below Reedy Island.....	In the channel off New Castle, Pa.
Chesapeake Bay entrance: Chesapeake Bay Main Ship Channel En- trance Buoy.	In the channel between buoys N ₂ and No. 3 Gas Buoy.
Baltimore, Md.: At Buoy N ₂ C, entrance to Craighill Chan- nel.	In channel on line between Leading Point and Sollers Point.
Potomac River: In channel off Dague Creek.....	In channel off River View.
Hampton Roads: In channel 2 nautical miles to eastward and southward of Thimble Shoal Light.	In channel to northwestward of en- trance buoy of dredged channel, Elizabeth River.
Cape Fear, N. C.: At a point 4 nautical miles south-south- west (true) from bell buoy at entrance channel.	In channel near Beacon No. 2A, off Battery Island.
Charleston, S. C.: Charleston Light Ship.....	Lower anchorage to westward of north and south line (true) through Fort Sumter Light.
Tybee Roads, Savannah, Ga.: 4 nautical miles east of Whistling Buoy...	Quarantine anchorage.
Key West, Fla.: Sand Key Light bearing west-northwest (true), distant 5 nautical miles.	In channel of fixed red beacon to north- northwestward of Fort Taylor.
Tampa, Fla.: Whistling Buoy, at entrance to dredged channel.	Off quarantine station.
Pensacola, Fla.: Pensacola Light bearing north-northwest (true), distant 8 nautical miles.	East corner of dock at navy yard bear- ing northwest (true), distant one-half nautical mile.
Mobile, Ala.: Whistling Buoy at entrance bearing north (true), distant 2 nautical miles.	Near Buoy C.
Mississippi River: South Pass Gas and Whistling Buoy.....	Buras Church.
Galveston, Tex.: Lighted Buoy No. 1 off South Jetty, bear- ing west (true), distant 2 nautical miles.	United States Quarantine Station.
San Diego, Cal.: Entrance Whistling Buoy.....	Between Beacons 5 and 6.
San Francisco, Cal.: San Francisco Lightship	Off Quarry Point, Angel Island, and off light, Goat Island.
Columbia River: North Head Light bearing northeast (true), distant 6 nautical miles.	In channel to eastward of Tansy Point.
Port Orchard, Wash.: In Sound to eastward of line joining Res- toration Point and east end of Blake Island and 1 nautical mile south (true) of Restoration Point.	To westward of Point White.
Honolulu, Hawaii: Honolulu Harbor Light bearing north- northeast (true), distant 10 nautical miles.	In harbor north of Honolulu Harbor Lighthouse.
Manila, P. I.: Peak of Corregidor Island bearing north- northeast (true), distant 12 nautical miles.	San Nicolas Shoal Light bearing south (true), distant 1 nautical mile.

The Secretary of the Navy will be charged with the publication and enforcement of these regulations.

WOODROW WILSON.

THE WHITE HOUSE,

April 5, 1917.

Executive order establishing defensive sea areas, April 14, 1917.

[U. S. Official Bulletin No. 2, p. 3.]

In accordance with the authority vested in me by section forty-four of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, as amended by the act "Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes," approved March fourth, nineteen hundred and seventeen, I, Woodrow Wilson, President of the United States, do order that in addition to those defensive sea areas established by Executive order under date of April fifth, nineteen hundred and seventeen, and subject to the same disclaimer of responsibility for damage inflicted as therein proclaimed, a defensive sea area is hereby established, to be maintained until further notification, at the place and within the limits described as follows; that is to say—*York River*:

Outer limit.—Arc of circle with center at The Marshes Light, radius $2\frac{1}{2}$ nautical miles, to line from north tangent Tue Point to Buoy S "11-H," thence line to Tue Point.

Inner limit.—A line from Sandy Point to end of wharf on Carmines Island.

And I do further order that the "Regulations for Carrying into Effect the Executive Order of the President Establishing Defensive Sea Areas," approved by me April fifth, nineteen hundred and seventeen, duly promulgated and published, are and shall be considered as of full effect and binding on all persons and vessels within the limits of the defensive sea area hereby established.

The designated entrances to the defensive sea area herein established shall be as follows:

Entrance for incoming vessels, at Buoy N "2A."

Entrance for outgoing vessels, at Buoy N 6.

WOODROW WILSON.

THE WHITE HOUSE,

April 14, 1917.

Executive order establishing defensive sea areas for Panama Canal Terminal Ports, August 27, 1917,

[U. S. Official Bulletin, No. 99, p. 8.]

By virtue of the authority vested in me by law the following described defensive sea areas for the terminal ports of the Panama Canal are hereby established, to be maintained until further notification, at the places and within the limits prescribed as follows, that is to say:

Atlantic entrance.—Outer limit: From the northern end of Naranjos Cays to a point 2 miles due north of the breakwater entrance, thence tangent to the arc of a circle with 1-mile radius, having the mouth of the Chagres River as a center, thence along the arc of this circle to the beach. Inner limit: Line joining east end of west breakwater and west end of east breakwater.

Pacific entrance.—Outer limit: Line joining Venado Island with north end of Taboguilla Island; thence north 53° east, true, for 5 miles; thence north 39° west to a point with San Jose Rock bearing north¹ 53° west, true, distant 2 nautical miles; thence to Tres Hermanos Beacon; thence to Punta Mala. Inner limit: Line joining Guinea Point with inner end of causeway.

The following orders and regulations for the government of persons and vessels within the limits of said defensive sea areas, which orders and regulations are necessary for the purposes of defense of the Canal Zone, are hereby promulgated:

1. In the neighborhood of each defensive sea area the following entrances are designated for incoming and outgoing vessels:

Atlantic.—Designated entrance for incoming vessels: A patrol boat stationed with end of west breakwater bearing south, true, distant 1 nautical mile. Designated entrance for outgoing vessels: The main entrance to the Panama Canal, between the breakwaters.

¹(U. S. Official Bulletin, No. 148, p. 5) In order to correct typographical error in the Executive order dated Aug. 27, 1917, entitled "Establishing defensive sea areas for terminal ports of the Panama Canal, and providing regulations for the government of persons and vessels within said areas," it is hereby directed that the word "south" be substituted for the word "north" following the words "thence north 39° west to a point with San Jose Rock bearing" in the description of the outer limit of the Pacific entrance of the defensive sea areas of the terminal ports of the Panama Canal. As corrected, the description will read as follows:

"*Pacific entrance.*—Outer limit: Line joining Venado Island with north end of Taboguilla Island; thence north 53° east, true, for 5 miles; thence north 39° west to a point with San Jose Rock bearing south 53° west, true, distant 2 nautical miles; thence to Tres Hermanos Beacon; thence to Punta Mala."

WOODROW WILSON.

THE WHITE HOUSE,
October 24, 1917.

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Pacific.—Designated entrance for incoming vessels: Patrol boat stationed with north end of Taboguilla Island bearing due west, distant 1 nautical mile. Designated entrance for outgoing vessels: Canal prism.

2. A vessel desiring to cross a defensive sea area shall proceed to the vicinity of the entrance, flying her national colors, together with international code number and pilot signal, and there await communication with the harbor entrance patrol. It is expressly prohibited for any vessel to enter the limits of a defensive sea area otherwise than at a designated entrance and after authorization by the harbor entrance patrol.

3. Boats and other craft employed in the harbor entrance patrol will be distinguished by the union jack, which will be shown from a position forward. At night they may show a vertical hoist of three lights—white, red, and white, in the order named.

4. On receiving permission from the harbor entrance patrol to enter a defensive area, a vessel must comply with all instructions as to pilotage and other matters that she may receive from proper authority, either before or during her passage across the area; it is understood that only upon condition of such compliance is the said permission granted.

5. No permission will be granted to other than a public vessel of the United States or a canal craft to cross a defensive sea area between sunset and sunrise, nor during the prevalence of weather conditions that render navigation difficult or dangerous. A vessel arriving off of a defensive sea area after sunset shall anchor or lie-to at a distance of at least a mile outside its limits until the following sunrise; vessels discovered near the limits of the areas at night may be fired upon.

6. No vessel shall be permitted to proceed within the limits of a defensive sea area at a greater speed than 6 knots per hour.

7. All matters pertaining to fishery and the passage of small crafts within a defensive sea area shall be regulated by the senior officer of the harbor entrance patrol.

8. These regulations are subject to modification by the senior officer of the harbor entrance patrol when the public interest may require; and such notification as circumstances may permit will be issued regarding modifications thus made.

9. Any master of a vessel or other persons within the vicinity of a defensive sea area who shall violate these regulations, or shall fail to obey an order to stop and heave to, or shall perform any act threatening the efficiency of mine or other defenses or the safety of navigation, or shall take any action inimical to the interests of the United States in its prosecution of war may be detained therein by force of arms and renders himself liable to prosecution.

10. The responsibility of the United States of America for any damage inflicted by force of arms with the object of detaining

any person or vessel proceeding in contravention to regulations duly promulgated in accordance with this Executive order shall cease from this date.

11. This order shall take effect from and after this date.

WOODROW WILSON.

THE WHITE HOUSE,

August 27, 1917.

PROTECTION OF PANAMA CANAL.

Rules and regulations for regulation, management, and protection of Panama Canal and maintenance of its neutrality May 23, 1917.

[U. S. Official Bulletin, No. 18, p. 5.]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas the United States exercises sovereignty in the land and waters of the Canal Zone and is responsible for the construction, operation, maintenance, and protection of the Panama Canal:

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby declare and proclaim the following rules and regulations for the regulation, management, and protection of the Panama Canal and the maintenance of its neutrality, which are in addition to the general "Rules and regulations for the operation and navigation of the Panama Canal and approaches thereto, including all waters under its jurisdiction," put into force by Executive order of July 9, 1914.

Rule 1. A vessel of war, for the purposes of these rules, is defined as a public armed vessel, under the command of an officer duly commissioned by the Government, whose name appears on the list of officers of the military fleet, and the crew of which are under regular naval discipline, which vessel is qualified by its armament and the character of its personnel to take offensive action against the public or private ships of the enemy.

Rule 2. An auxiliary vessel, for the purposes of these rules, is defined as any vessel, belligerent or neutral, armed or unarmed, which does not fall under the definition of rule 1, which is employed as a transport or fleet auxiliary or in any other way for the direct purpose of prosecuting or aiding hostilities, whether by land or sea: but a vessel fitted up and used exclusively as a hospital ship is excepted.

Rule 3. A vessel of war or an auxiliary vessel of a belligerent, other than the United States, shall only be permitted to pass through the canal after her commanding officer has given written assurance to the authorities of the Panama Canal that the rules and regulations will be faithfully observed.

The authorities of the Panamal Canal shall take such steps as may be requisite to insure the observance of the rules and regulations by auxiliary vessels which are not commanded by an officer of the military fleet.

Rule 4. Vessels of war or auxiliary vessels of a belligerent, other than the United States, shall not revictual nor take any stores in the canal except so far as may be strictly necessary; and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the canal regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of a belligerent.

Rule 5. No vessel of war or auxiliary vessel of a belligerent, other than the United States, shall receive fuel or lubricants while within the territorial waters of the Canal Zone, except on the written authorization of the canal authorities, specifying the amount of fuel and lubricants which may be received.

Rule 6. Before issuing any authorization for the receipt of fuel and lubricants by any vessel of war or auxiliary vessel of a belligerent, other than the United States, the canal authorities shall obtain a written declaration, duly signed by the officer commanding such vessel, stating the amount of fuel and lubricants already on board.

Rule 7. Fuel and lubricants may be taken on board vessels of war or auxiliary vessels of a belligerent, other than the United States, only upon permission of the canal authorities, and then only in such amounts as will enable them, with the fuel and lubricants already on board, to reach the nearest accessible port, not an enemy port, at which they can obtain supplies necessary for the continuation of the voyage. Provisions furnished by contractors may be supplied only upon permission of the canal authorities, and then only in amount sufficient to bring up their supplies to the peace standard.

Rule 8. No belligerent, other than the United States, shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of necessity due to accidental hindrance of the transit. In such cases the canal authorities shall be the judge of the necessity, and the transit shall be resumed with all possible dispatch.

Rule 9. Vessels of war or auxiliary vessels of a belligerent, other than the United States, shall not remain in the territorial waters of the Canal Zone under the jurisdiction of the United States longer than 24 hours at any one time, except in case of distress; and in such case shall depart as soon as possible.

Rule 10. In the exercise of the exclusive right of the United States to provide for the regulation and management of the canal,

and in order to insure that the canal shall be kept free and open on terms of entire equality to vessels of commerce and of war, there shall not be, except by special arrangement, at any one time a greater number of vessels of war of any one nation, other than the United States, including those of the allies of such nation, than three in either terminal port and its adjacent terminal waters, or than three in transit through the canal, nor shall the total number of such vessels, at any one time, exceed six in all the territorial waters of the Canal Zone under the jurisdiction of the United States.

Rule 11. The repair facilities and docks belonging to the United States and administered by the canal authorities shall not be used by a vessel of war or an auxiliary vessel of a belligerent, other than the United States, except when necessary in case of actual distress, and then only upon the order of the canal authorities, and only to the degree necessary to render the vessel seaworthy. Any work authorized shall be done with the least possible delay.

Rule 12. The radio installation of any public or private vessel or of any auxiliary vessel of a belligerent, other than the United States, shall be used only in connection with canal business to the exclusion of all other business while within the waters of the Canal Zone, including the waters of Colon and Panama Harbors.

Rule 13. Aircraft, public or private, of a belligerent, other than the United States, are forbidden to descend or arise within the jurisdiction of the United States at the Canal Zone, or to pass through the air spaces above the lands and waters within said jurisdiction.

Rule 14. For the purpose of these rules the Canal Zone includes the cities of Panama and Colon and the harbors adjacent to the said cities.

Rule 15. In the interest of the protection of the canal while the United States is a belligerent no vessel of war, auxiliary vessel, or private vessel of an enemy of the United States or an ally of such enemy shall be allowed to use the Panama Canal nor the territorial waters of the Canal Zone for any purpose, save with the consent of the canal authorities and subject to such rules and regulations as they may prescribe.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 23d day of May in the year of our Lord 1917, and of the independence of the United States of America the one hundred and forty-first.

WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.

REQUISITION OF ENEMY VESSELS.*Executive orders requisitioning enemy vessels, May 22, 1917.¹*

[U. S. Official Bulletin, No. 18, p. 4.]

In accordance with a request of the Secretary of the Navy, concurred in by the United States Shipping Board, the Secretary of the Treasury is hereby directed to transfer the following German vessels to the Navy for use as colliers and cargo carriers: *Hohenfelde*, *Frieda Leonhardt*, *Nicaria*, *Kiel*, *Rudolf Blumberg*, *Vogesens*, *Breslau*, *Saxonia*.

WOODROW WILSON.

THE WHITE HOUSE,
May 22, 1917.

It is hereby authorized that through the Secretary of the Navy there shall be taken over to the United States the immediate possession and title to the German vessels *Kronprinz Wilhelm* and *Prinz Eitel Friedrich*, now at the navy yard, Philadelphia, the *Liebfels*, now at the navy yard, Charleston, and the *Gcir* and *Locksen* now at the naval station, Hawaii, and until further directions, the Secretary of the Navy is ordered to operate and equip such vessels in the service of the Navy of the United States.

This order shall take effect from date.

WOODROW WILSON.

THE WHITE HOUSE,
May 22, 1917.

Executive order requisitioning enemy vessels, June 30, 1917.

[U. S. Official Bulletin, No. 51, p. 1.]

Whereas the following joint resolution adopted by Congress was approved by the President May 12, 1917:

Joint resolution authorizing the President to take over for the United States the possession and title of any vessel within its jurisdiction which at the time of coming therein was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war, or was under register of any such nation, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag or was under

¹ For documents relating to treatment of enemy vessels at outbreak of war by other countries, see *International Law Topics*, 1915, pp. 19 et seq.

register of any such nation or any political subdivision or municipality thereof; and, through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessel in any service of the United States, or in any commerce, foreign or coastwise.

SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances, and all property contained therein, at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation.

And whereas the following vessels were, at the time of coming into the jurisdiction of the United States, owned in whole or in part by a corporation, citizen, or subject of the Empire of Germany, a nation with which the United States is now at war, or were flying the flag of or under the register of the Empire of Germany, or of a political subdivision or municipality thereof:

Vaterland, Amerika, Kaiser Wilhelm II, President Grant, Pennsylvania, Bulgaria, Prinzess Irene, Hamburg, Neckar, Bohemia, Rhaetia, Wittekind, Armenia, Adamsturm, Willehad, Serapis, Allemannia, Nassovia, Maia, Neptun, O. J. D. Ahlers, Prinz Waldemar, Loongmoon, Gouverneur Jaeschke, Darvel, Princess Alice, Wiegand, Bochum, Carl Diederichsen, Coblenz, Esslingen, Lyeemoon, Pongtong, Sachsen, Suevia, Steinbeck, Elsass, Indra, Arnoldus Vinnen, Ottawa, Grunewald, Sachsemoald, Staatssekretar Solf, Aroa (lighter), George Washington, Kronprinzessin Cecile, President Lincoln, Cincinnati, Grosser Kurfurst, Barbarossa, Friedrich der Grosse, Rhein, Konig Wilhelm II, Koln, Prinz Oskar, Ockenfels, Arcadia, Pisa, Prinz Joachim, Harburg, Portonia, Clara Mennig, Pommern, Sedos, Holsatia, Staatssekretar Kraetke, Borneo, Marudu, Tsintau, Andalusia, Camilla Rickmers, Clara Jepsen, Elmshorn, Johanne, Mark, Rajah, Sambia, Tubingen, Dalbek, Magdeburg, Matador, Kurt, Andromeda, Prinz Sigismund, Saroia, Arni (lighter), Argus (lighter).

It is therefore ordered that through the United States Shipping Board there be taken over to the United States the possession and title of the aforementioned vessels. The United States Shipping Board is further hereby authorized to repair, equip, and man the said vessels; to operate, lease, or charter the same in any service of the United States, or in any commerce, foreign or coastwise; and to do and perform any and all things that may be necessary to accomplish the purposes of the joint resolution above set forth.

WOODROW WILSON.

THE WHITE HOUSE,
June 30, 1917.

Executive order requisitioning enemy vessels, July 3, 1917.

[U. S. Official Bulletin, No. 47, p. 5.]

Whereas the following joint resolution adopted by Congress was approved by the President May 12, 1917:

Joint resolution authorizing the President to take over for the United States the possession and title of any vessel within its jurisdiction, which at the time of coming therein was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war, or was under register of any such nation, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part of any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag of or was under register of any such nation or any political subdivision or municipality thereof; and, through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessel in any service of the United States, or in any commerce, foreign or coastwise.

SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances, and all property contained therein, at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation.

And whereas the following vessel was, at the time of coming into the jurisdiction of the United States, owned in whole or in part by a corporation, citizen, or subject of the Empire of Germany, a nation with which the United States is now at war, or was flying the flag of or under the register of the Empire of Germany, or of a political subdivision or municipality thereof: Cargo steamship *Prinz Eitel Friedrich*, now lying at Hoboken, N. J.

It is therefore ordered that through the United States Shipping Board there be taken over to the United States the possession and title of the aforementioned vessel. The United States Shipping Board is further hereby authorized to repair, equip, and man said vessel; to operate, lease, or charter the same in any service of the United States, or in any commerce, foreign or coastwise; and to do and perform any and all things that may be necessary to accomplish the purposes of the joint resolution above set forth.

WOODROW WILSON.

THE WHITE HOUSE,
July 3, 1917.

URUGUAY.

Decree modifying neutrality regulations in case of war by American countries, June 18, 1917.

[U. S. Official Bulletin No. 35, p. 2.]

Considering that in various communications the Government of Uruguay has proclaimed the principle of American solidarity as the criterion of its international policy, understanding that the grievance against the rights of one country of the continent should be considered as a grievance by all and provoke them to uniform and common reaction;

Second, that in the hope of seeing an agreement in this respect realized between the nations of America which may make the practical and efficient application of such ideals possible, the Government has adopted a watchful attitude with reference to its action, although it has signified in each case its sympathy with the continental nations which have been seen themselves obliged to abandon their neutrality;

Considering that, as long as such an agreement is not made, Uruguay, without acting contrary to its sentiments and convictions, could not treat the American nations which in defense of their own rights find themselves compromised in an intercontinental war, as belligerents; and

Considering that this criterion is shared by the Honorable Senate,

The President of the Republic

At a general cabinet meeting

Decrees:

First. To order that no American country which in defense of its own rights should find itself in a state of war with nations of other continents will be treated as belligerents.

Second. That it is ordered that existing decrees which may be in opposition to this resolution are to remain without fulfillment.

Third. Let it be communicated, published, etc.

VIERA.

BALTASAR BRUM.

ARTURO GAYO.

PABLO VARSÍ (HIJO).

FREDERICO VIDIELLA.

RODOLFO MEXXERA.

JUSLINO JIMENEZ DE ARROCHAGA.

SANTIAGO RIVAS.

Decree breaking diplomatic relations with Germany, October 7, 1917.¹

[U. S. Official Bulletin No. 128, p. 1.]

MONTEVIDEO, October 7, 1917.

In view of the authority granted the executive power by law of the nation of this date, authorizing said power to declare diplomatic and commercial relations broken between Uruguay and the Imperial Government and the reasons which have caused the legislative decision which are absolutely shared by the executive power, the President of the Republic at a general cabinet meeting decrees:

ARTICLE 1. From the date of the present decree diplomatic and commercial relations between Uruguay and the German Imperial Government remain broken.

ART. 2. That the respective passports be handed over to the diplomatic representative of that Government, all the guarantees for his personal safety being granted to him at the same time until his removal from the country.

ART. 3. That telegraphic instructions be transmitted to the functionaries of the Republic in office in Germany to the effect that they immediately abandon the German territory, requesting the same guarantees which are granted to the German representative by the Government of Uruguay.

VIERA.

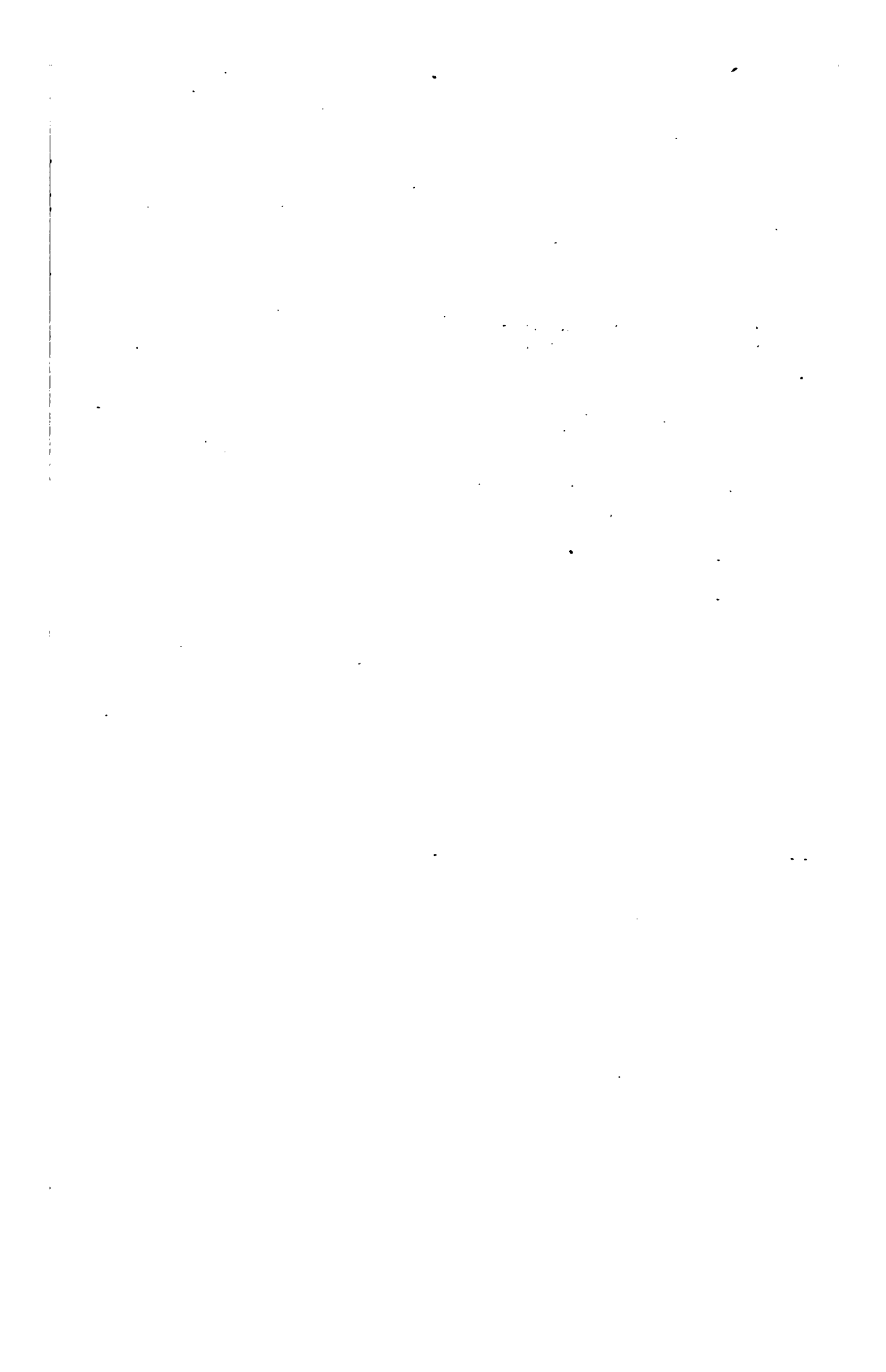
VENEZUELA.*Official statement of neutrality, May 27, 1917.*

Our diplomatic relations with the nations have not suffered interruption, and we find ourselves at peace with all. We have known how to adjust our conduct to the rules of international law, preserving the strictest neutrality in the gigantic struggle in which for three years the great European powers have been involved, and no one is able to reproach us with a single infraction of our duty as a neutral. Conforming to this rule of conduct, when on February 24 of the present year the German legation, on orders of its Government, communicated to our chancellery the unprecedented extension it had resolved to give to the submarine war, manifestly departing from the practices accepted up to now, Venezuela responded that it would adjust its procedure to the principles of international law which govern the rights and duties of neutrals. Up to the present time nothing has occurred in which we

¹ By decree of October 15, 1917, the neutrality decrees so far as relating to France, England, Belgium, Italy, Portugal, Russia, Japan, Serbia, Roumania, and Montenegro were revoked, U. S. Off. Bull., No. 136, p. 3.

have been directly injured as a result of the operations of the German submarines. Therefore we do not consider ourselves involved in the complications which have brought the United States to war with the German Empire.

Venezuela, through her attitude of respect for law, stands for the defense of the life and property of her nationals; she follows the development of events with the natural interest which arises from the principle in defense of which the United States has entered the war, because of the traditional friendship she has for that nation (the United States), and because of those general interests which are common to the republics of the continent.



INDEX.

- Accession to convention, 143, 148.
- Acquiescence (*see* Neutral States, acquiescence).
- Acquisition of territory (*see* Annexation, Territory).
- Act of war (*see* Hostile act, Territory).
- Adhesion to declaration, 89.
- Adriatic Sea :
 - blockade of, 174.
 - Italian demands in respect to, 166.
 - mined area, 97.
- Ægean Sea :
 - blockade of, 93, 136.
 - mined area, 69.
- Aerial domain, in Panama Canal Zone, 245.
 - See also* Aircraft.
- Aeroplane (*see* Aircraft).
- Africa, war zone on west coast of, 115.
 - See also* Cameroons, Central Africa, Congo, Cyrenaica, Egypt, Lybia, Morocco, Tripoli, Ubangi.
- Aircraft :
 - alien enemy not to possess, 228.
 - attacks by, without warning, 154.
 - forbidden to approach merchant vessel, 154.
 - forbidden in Panama Canal Zone, 245.
 - require permit in neutral territory, 192.
- Aland Islands, 210.
- Albania :
 - blockade of, 173, 174.
 - blockade of protested, 173.
 - Italian demands in reference to, 166.
 - neutrality of recognized, 173.
 - use of as base of operations, 173.
- Alexander, King of Greece, 161.
- Alien enemies :
 - detention of, 229, 232.
 - internment of, 212.
 - liability of, violating regulations, 229, 232.
 - not to approach military area, 228.
 - not to commit hostile act, 228.
 - not to depart without permit, 228, 232.
 - not to enter United States, 229, 232.
 - not to have aircraft, 228.
 - not to have firearms, 228.
 - not to have radio or signaling apparatus, 228.
 - not to publish seditious article, 228.
 - not to reside in prohibited area, 228.
 - permitted to reside, 226, 227, 231.
 - removal of, authorized, 226, 228, 232.
 - required to register, 229.
 - subject to summary arrest, 229.
 - to preserve peace, 227, 231.
 - United States, act in reference to, 226, 231.

- Aliens :**
 Denmark, law relating to supervision of, 80.
 property and rights to be protected, 61.
 violation of rights of, 170.
See also Alien enemies, persons.
- Alliance :**
 Arabia-Entente powers, 21.
 Greece-Serbia, obligations of, 159.
 Italy-Austria, 163.
 Japan-Great Britain, 175, 176, 177.
 Portugal-England, 200.
 United States-Panama, 196.
See also Declarations of war, Entente, Triple alliance.
- Allied vessel** (*see* Vessel, allied).
- Allies** (*see* Entente).
- American continent**, solidarity of, 60, 65, 198, 249.
- American nations :**
 cooperation of recommended, 59, 198.
 duty to support United States, 77.
 relations of, 197.
 not to be treated as belligerents, 249.
 common interests of, 251.
- Amphion**, British vessel sunk by mine, 120.
- Anchorage**, permits necessary, 188.
- Annexation of territory**, 113, 119.
- Appraisal of vessel** (*see* Requisition, Sale).
- Approach**, right of (*see* Submarine vessels, Aircraft).
- Arabia :**
 attitude toward Turkey, 17.
 attitude toward Moslem community, 18.
 proclamations of independence, 17, 20.
 relations with Great Britain, 21, 220.
See also Asir, Bagdad, Hedjaz, Keweyt, Mesca, Nejd.
- Arbitration**, proposed by Serbia, 49.
See also Pacific Settlement, Hague, International Tribunal of.
- Arctic Ocean**, war zone in, 115.
- Areas**, prohibited, 190, 228.
See also Blockade, Defensive sea areas, Military areas, Mined areas,
 Territorial waters, Territory, War ports, War zones.
- Argentine Republic :**
 attitude toward war, 37.
 coaling of vessels, 25, 36.
 dismissal of German minister, 37, 38.
 internment, 30, 31.
 neutrality declaration, 32.
 radio telegraphy, 24, 25, 26, 27, 29, 33, 34, 36.
 sojourn, 22, 23, 29.
 telegraphy, 24.
 transfer of flag, 30.
- Armament**, definition of, 154.
See also Armed merchant vessel.
- Armed fleet** (*see* Fleet, military; Vessels).
- Armed forces :**
 employment of authorized, 77, 178.
 not to be landed in Panama Canal Zone, 244.
 recourse to, 49, 50.
 supply of by Germany to Austria, 172.

Armed merchant vessels:

- assistance by, 154.
- defensive character, 23, 153, 155.
- evidences of character, 24.
- German interpretation of instructions on, 155.
- Great Britain, instructions for conduct of, 153.
- Great Britain, policy in reference to, 155.
- not to change status at sea, 154.
- not to obstruct passage of other vessels, 153.
- not to use arms in neutral waters, 23.
- suspected, precautions in reference to, 23, 24.
- to attack hostile submarines, 154, 155.
- United States, notification of use of, 225.
- use of disguises by, forbidden, 154, 155.

Arming vessels in neutral territory (*see* Base of operations, Territorial waters).

Arms and munitions:

- alien enemy not to possess, 228.
- illicit traffic in, 40.
- supply of by Germany to Austria, 171.

Asia; Eastern (*see* Far East).

Asia Minor, blockade of, 92, 136.

Asir, Arabia, 21.

Aspri Ruga, 174.

Asylum in neutral waters:

- to belligerent war vessels—
 - in Panama Canal Zone, 245.
 - "lack of fuel and provisions," 62, 186, 218.
 - "necessary repairs," 185, 217, 218, 245.
 - "stress of weather," 62, 185, 186, 194, 195, 215, 217, 218.
 - "unseaworthiness," 62, 70, 186, 218.
- to belligerent merchant vessels—
 - discharge of merchandise, 62.
- to prizes, 62, 186, 218.
- to submarine vessels, 194, 215.

See also Base of Operations, Prizes, Sojourn.

Atrocities, in Arabia, 18, 19.

See also Submarine warfare.

Austria-Hungary:

- attitude toward submarine warfare, 72, 75.
- blockade of coast, 172, 173.
- blockade declaration by, 53.
- concessions to Italy, 166.
- cooperation with Germany, 87.
- declares China's declaration of war unconstitutional, 74.
- declaration of war, 15, 49, 50, 51, 104, 183.
- destruction of, alleged Entente war aim, 111.
- diplomatic relations, breaking of, 16, 49, 51, 52.
- hostilities authorized by, 51.
- mining of Adriatic Sea by, 97.
- policy of, in Balkans, 165, 204.
- policy of, with respect to Italy, 167, 168.
- protest against blockade, 172, 173.
- rejection of Italian demands, 167.
- responsible for war, 117, 164.
- threat to attack Italy in 1911, 168.
- to respect Hague conventions and Declaration of London, 50.

Austria-Hungary—Continued.

treaties with China abrogated, 75.

ultimatum to Serbia, 38.

reply to, 42, 210.

declared in violation of treaty, 164.

violation of Triple Alliance, 163.

See also Declarations of war; Diplomatic relations, breaking of; Triple Alliance.

Automatic mines (*see* Mines).

Auxiliary vessels (*see* Base of operations, Vessels).

Aviators, hostile acts by, 103.

See also Aerial domain, Aircraft.

Azores, war zone around, 115.

Bagdad, proclamation of, 20.

Balance of power:

in Balkans, 68, 69, 165, 204.

European, 206.

balance of power in, 68, 69, 165.

Italian interests in, 165.

Roumanian policy in, 204.

Triple alliance treaty on, 165.

Balkan Wars (1912-13), 67, 204, 220.

Balloons (*see* Aircraft).

Base of Operations:

arming belligerent vessels in neutral territory forbidden, 22, 79, 185, 186.

augmenting crew of belligerent war vessel in neutral territory, forbidden, 185.

departure of vessel intended to cruise, from neutral territory, forbidden, 186.

establishment of coaling station in neutral territory forbidden, 30, 186, 218.

for intrigue, 76.

for submarine vessels, 99.

in Albania, 173.

in Greece, 161.

in Portuguese territory, 104.

relation of, to coaling, 26.

repair of belligerent war vessel in neutral territory, forbidden without authorization, 79, 185.

use of neutral territory as, forbidden, 79, 186, 218.

See, also, Asylum; Coaling; Hague conventions, 1907, XIII; Provisioning; Radiotelegraphy; Sojourn; Territory; Transmission of intelligence.

Battleships (*see* Fleet, military; Vessels, war).

Beirut, closed port, 217.

Belgian Congo (*see* Congo).

Belgium:

annexation of, by Germany, not intended, 113.

appeal to Great Britain for intervention, 116.

departure of minister from Luxemburg, 57.

diplomatic relations, breaking of, 54, 59.

international obligations of, 53, 58.

national honor of, 54.

neutrality of—

guarantee by powers, 54.

protests against violation, 53, 54, 55.

resolution to resist violation, 54, 55.

violation by France, alleged, 53, 101, 103.

violation by Germany, 53, 116.

violation, grounds for war, 159.

Belgium—Continued.

neutrality of—Continued.

passage of territory demanded by Germany, 102.

reply to Austrian declaration of war, 58.

ultimatum to, by Germany, 96, 102.

See, also, neutrality proclamations, neutralization.

Belligerent nationality, persons of (*see* Armed forces, Internment, Persons).

Belligerent state:

American nation not to be treated as, 249.

business house of, not to trade in neutral territory, 180.

incitement against, in neutral territory, forbidden, 84.

interests of, in enemy country (*see* Diplomatic officer, neutral).

trade with, by neutrals, forbidden (*see* Commercial restrictions).

See, also, Declarations of war; Neutrality proclamations.

Belligerent vessels in neutral waters (*see* Asylum, Base of Operations, Coaling, Provisioning, Sojourn, Territorial Waters).

Belligerent warship (*See* Vessels, war.)

Belligerents, rights of. (*See* Blockade, Capture, Contraband, Unneutral Service, Visit and Search, War.)

Benevolent neutrality (*see also* Neutrality), 198.

Berlin, General act of (1885) (*see also* Treaties), 56.

Treaty of (1878) (*see also* Treaties), 38, 204.

Bill of lading, ship's paper, 152.

Blacklist:

Great Britain, act relating to, 158.

trading with firms on, forbidden, 158.

Black Sea:

mined area in, 69.

Turkish navy forbidden in, 207.

Blockade:

days of grace, 91, 92, 93, 135, 136, 137, 173, 174, 177.

effective, 53, 92, 93, 173.

extension of, 92, 136.

hunger, 115.

liability for violation of, 151, 175.

neutral coasts subject to, 168, 173.

notification of, 91, 92, 93, 94, 135, 136, 173.

permit to enter, 174.

raising of, 92, 136, 177.

restriction of, 91, 135, 173.

regulations relating to, 175.

war zone described as, 115.

Blockade declarations:

Austria-Hungary, of Montenegro (1914), 53.

France, of Cameroons (1915), 91.

Asia Minor (1915), 92.

Bulgaria (1915), 92.

Cavalla (1916), 93.

Greece (1916), 93.

Germany (Retaliatory measures, 1915), 94.

Macedonia (1916), 93.

Germany. (*See* War zones.)

Great Britain, of Aegean Sea (1916), 136.

Asia Minor (1915), 136.

Bulgaria (1915), 136.

Cameroons (1915), 135.

German East Africa (1915), 135.

Germany (Retaliatory measures, 1915), 137, 138, 141, 142.

Blockade declarations—Continued.

Italy, of Adriatic Sea (1915), 174.

Albania (1915), 173.

Austria-Hungary (1915), 172.

Japan, of Kiao Chou (1914), 177.

See also Commercial restrictions, War zones.

Bolivia:

diplomatic relations, breaking of, 17, 60, 198.

German subjects and property to be protected in, 61.

neutrality, presidential message relating to, 59.

policy of American cooperation proposed, 60.

Bombardment of undefended towns, 181, 207.

Bombs:

alien enemy not to possess, 228.

use of by aviators, 103.

Bosnia, 38, 41, 42.

Boundaries, strategical, Italian demands of, 166.

Brazil:

declaration of war, 15, 65.

diplomatic relations, breaking of, 17, 64, 198.

discharge of merchandise, 62.

neutrality, decree of, 61.

neutrality, regulations of, 62.

neutrality, revocation of, 64.

taking over of national vessels, 63.

Breaking diplomatic relations (*see* Diplomatic relations, breaking of).

Breslau, Turkish vessel, 119.

Broberg, Danish vessel destroyed by mine, 121.

Bucharest, peace of (1913), 67, 69.

Bulgaria:

blockade of, 92, 136.

declarations of war, 15, 66, 67.

hereditary enemy of Greece, 160.

hostilities commenced by, 66.

mining of coast, 69.

neutrality declaration, 66.

policy of, 159, 208.

policy of, 209.

subservient to Germany, 208.

See also Declarations of war; Diplomatic relations, breaking of.Bullets (*see* Arms and munitions; Warfare, means of).Bunkers, coal (*see* Coaling).Business, carrying on, in enemy territory (*see* Blacklist, Commercial restrictions).

Cabo Corrientes, Argentine vessel, suspected of unneutral service, 27.

Cables, interruption of, by Portugal, 105.

See also Telegraphy; Transmission on intelligence.Canal (*see* Panama Canal; Suez Canal).

Cameroon:

blockade of, 91, 92, 135, 136.

defense against, 56.

Cape Verde Islands, war zone around, 115.

Captor, responsibility of, 137.

Capture:

forbidden in neutral waters, 218.

liability of vessel to, 140, 143, 175.

procedure after, 150.

report of, to be made, 151.

use of ruse to escape, 154.

See also Captor; Destruction; Joint captor; Persons; Prize; Territorial waters; Vessels; Visit and search.

- Cargo :
 evidences of character, 152.
 jurisdiction of, on national vessels, 146.
 liability of, on blockade runners, 175.
 See also Contraband ; Enemy goods ; Neutral goods ; Requisition.
- Cavalla :
 blockade of, 93.
 German guaranty in reference to, 161.
- Censorship (*see* Opinion ; Transmission of Intelligence).
- Central Africa, elimination of from area of war, 56.
- Central Powers (*see* Triple Alliance).
- Cession of territory (*see* Annexation ; Territory).
- Charter Party, ships' papers, 152.
- Chief of State, vessel carrying exempt, 188.
- Chile : Sojourn of vessels, 69.
- China :
 attitude toward peace, 72.
 constitutionality of declaration of war, 74, 76.
 declarations of war, 71, 73, 74, 75, 76.
 diplomatic relations, breaking of, 17, 70, 71.
 disorder in, 73, 76.
 Kiau Chau, to be restored to, 176.
 protest against German war zone, 71.
 to respect Hague Conventions and international law, 71, 72.
 treaties with enemy powers abrogated, 74, 75.
- Cipher (*see* Alien Enemy, Transmission of Intelligence).
- Citizens (*see* Persons).
- Civilization, 54, 56, 167.
- Clearance of Vessels (*see* Base of Operations, Vessels).
- Coal, scarcity of, due to war, 36.
- Coaling vessels in neutral port :
 Argentine Republic, general orders relating to, 25, 36.
- Merchant vessels—
 forbidden if intended for belligerent war vessel, 30.
 "first stopping place," 37.
- Merchant vessels of belligerent nationality—
 "full bunkers," 26.
- Prizes, 218.
- War vessels of belligerent nationality—
 declaration to be made of amount on board, 244.
 forbidden without authorization, 79, 104, 217.
 "full bunkers," 185.
 in Panama Canal Zone, 244.
 neutral obligations in reference to, 26.
 three months' rule, 185.
 relation to base of operations, 26.
 See also Base of Operations, Provisioning.
- Coaling station in neutral territory forbidden, 30, 186, 218 (*see also* Base of Operations).
- Codes (*see* Transmission of Intelligence).
- Colon, Panama, 245.
- Colonies, defense of, justifies war, 170.
- Colors (*see* Flag, False flag).
- Combatants (*see* Armed forces, Persons, Prisoners of war).
- Commander of belligerent war vessel, obligations of (*see* Asylum, Capture, Coaling, Prizes, Provisioning, Sojourn, Vessels, Visit, and Search).
- Commercial courts, to act as prize courts, 201.
- Commercial relations, breaking of, 250.
- Commerce, liberty of, 78.
 See also Freedom of the seas.

Commercial restrictions:

by belligerent—

France decree relating to trade with enemy territory, 94.

Great Britain, orders in council relating to trade with enemy territory, 138, 141, 142.

international law violated by, 108, 112, 114, 223.

joint declaration of policy, France and Great Britain, 137.

See also Blacklist, Blockade, Contraband, Freedom of the Seas, Mines areas, Navigation, Retaliatory measures, Trading with the enemy, War zones.

by neutrals—

Denmark, law relating to declaration of commercial transactions, 82.

law relating to impartiality in commercial regulations, 84.

Dominican Republic, decree relating to declaration of commercial voyages, 85, 86.

Liberia, proclamation prohibiting trade with belligerents, 179.

See also Mines areas, Navigation, Sojourn, Territory, Transmission of intelligence.**Communication, means of** (*see* Radiotelegraphy, Signals, Telegraphy, Telephone, Transmission of intelligence).**Compensation, measure of, in case of requisition, 157, 201.***See also* Damages, Indemnity.**Condemnation:**

consequences of, 147.

liability of vessel to, 140, 143.

requisition of vessel prior to, 157.

See also Prize courts.**Confiscation:**

of goods, 138, 180.

of vessel, 175, 219.

See also Condemnation, Destruction, Requisition.**Congo:**

Belgian, neutrality of, 56.

conventional basin of, 56, 118.

hostilities in, 118.

Conquest, spirit of, 204.**Consuls:**

archives of, seized, 105.

departure of, 52, 104, 207, 208, 209.

display of flag by, in neutral territory, permitted, 83.

exequaturs revoked, 90, 162, 181.

France, decree relating to, 90.

neutral in charge of foreign interests, 171.

passports to, 71, 75.

to declare voyage of national vessel, 85, 86.

Continuous voyage:

application to blockade, 95, 142.

application to contraband, 108, 202.

application to destination of goods, 95, 108, 139, 143, 202.

application to origin of goods, 95, 140, 143.

Contraband:

definition of, 202.

destination of, 145, 202.

distinction of absolute and conditional abandoned, 108.

extension of lists illegal, 108.

liability of vessel carrying, 151, 178, 203.

liability of vessel on return voyage, 203.

not effected by retaliatory decree, 96, 139.

Contraband—Continued.

Portugal, decree relating to, 202.

vessels permitted in war zone, not to carry, 111.

See also Arms and munitions, Continuous voyage.

Conversations, Italy and Austria, 165.

Conversion :

of armed merchant vessels not permitted at sea, 154.

of merchant vessels, 22.

vessels capable of, 203.

See also Hague conventions, 1907, VII.

Convoy, 188.

Cooperation :

in defense of law, suggested by United States, 224.

in retaliatory measures by Entente powers, 139.

of Americas, suggested, 77, 198, 249.

of Panama with United States in war, 196, 197.

to prevent war, suggested by Germany, 113.

Copenhagen, compulsory pilotage in vicinity of, 80.

Costa Rica :

declaration of war, 77.

diplomatic relations, breaking of, 17.

friendship for the United States, 77.

Crew of vessels (*see* Internment, Prizes, Officers, Persons).

Creeks, blockaded, 173.

Criminal law (*see* Penal Code).

Criminal proceedings, national jurisdiction in, 47.

Cruisers (*see* Vessels, war).

Cuba :

declaration of war, 15, 77.

diplomatic relations, breaking of, 198.

Customs regulations, 82, 186, 189, 218.

Curzolari Archipelago, Italian demands in reference to, 166.

Cyprus, annexation of, by Great Britain, 119.

Cyrenaica, Italian demands in reference to, 169.

Dakar, war zone around, 115.

Dalmatian coast, mining of, 97.

Damages, claims for, 102, 158, 201, 219.

See also Compensation, Indemnity.

Damages to vessel, repair of (*see* Asylum).

Danish language, telegrams in, permitted, 191, 192.

Dardanelles :

blockade of, 92.

closing of, 219.

expedition, Greek cooperation in proposed, 160.

Days of grace :

blockade (*see* Blockade).

enemy vessels in port, 103.

reciprocity required, 103.

war zone (*see* War zone).

Declaration of blockade (*see* Blockade declarations).

Declaration of London (1909) :

Austria-Hungary to act in accordance with, 50.

declaratory of international law, 108.

German attitude toward, 109.

Great Britain, repudiation of, 108.

provisions of, on blockade, 173.

Declaration of neutrality (*see* Neutrality proclamations).

Declaration of Paris (1856), violated by Great Britain, 108.

Declaration of war :

- acts by party declared against, stated as justification for—
 - acts of aggression, 108.
 - acts of war, 226, 230.
 - alliance with enemy, 119, 171, 172.
 - coauthor of aggression by enemy, 88.
 - cooperation with the enemy, 91.
 - economic assistance to enemy, 171, 172.
 - effort to humiliate national honor, 161.
 - ~~hostile acts, 88, 96, 97, 98, 105, 119, 170, 171, 212.~~
 - hostile acts against ally, 50, 118, 161, 171.
 - inhuman treatment of nationals, 51.
 - insulting action, 105.
 - invasion of territory, 161.
 - jeopardizing of safety and existence, 101.
 - military assistance to enemy, 88, 118, 171, 172.
 - military assistance to enemy of ally, 161.
 - military cooperation with enemy, 51.
 - mobilization of forces, 100.
 - policy of hostility, 220.
 - provocative action, 65.
 - rejection of ultimatum, 117, 177.
 - subversive intrigues, 50.
 - threat to territorial integrity, 50.
 - threatening attitude, 51.
 - unfriendly acts and hostilities, 68.
 - unneutral behaviour, 105.
 - violation of guarantees, 117, 161.
 - violation of neutral rights, 161.
 - violation of promise in reply to ultimatum, 170, 171.
 - violation of treaties, 88, 105, 106, 117, 170, 171.
 - war declaration against ally, 106, 118, 119.

constitutional procedure. China, 74, 76.

effect of, on alien enemies, 226, 231.

effect of, on treaties, 72, 74, 75, 220.

list of in European war, 15.

principles stated as reason for—

- common cause with democratic nations, 197.
- defense of colonies, 170, 171.
- defense of ideals of law, right, justice, and democracy, 77.
- defense of justice, 78.
- defense of welfare of Islam, 220.
- defense of liberty of commerce, 78.
- defense of navigation of the seas, 78.
- defense of rights of neutrals, 178.
- fulfillment of national aspirations, 163.
- fulfillment of obligations under alliance, 177.
- maintenance of international law, 74, 77.
- prevent predominance of the world by Teutonic Powers, 197.
- protection of national lives and property, 74, 77.
- protection of national rights and interests, 49, 50, 78, 163.
- protection of Panama Canal, 196.
- providing for national security, 78.
- realization of national unity, 206.
- safeguard high interests of the state, 170, 171.
- safeguard national territory, 78, 196.
- safeguard racial interests, 206.
- uphold sanctity of international rights, 212.

replies to, 58, 208.

See also Hague Conventions, 1907. III ; Hostilities ; War.

Declarations of War:

- Austria-Hungary, against—
 - Belgium (1914), 15, 51.
 - Japan, hostilities authorized (1914), 15, 51.
 - Montenegro, hostilities authorized (1914), 15, 183.
 - Portugal (reported 1916), 104.
 - Russia (1914), 15, 50.
 - Serbia (1914), 15, 49.
- Brazil against Germany (1917), 15, 65.
- Bulgaria against—
 - Roumania (1916), 67.
 - Serbia (1915), 15, 66.
- China against—
 - Austria-Hungary (1917), 15, 74.
 - Germany (1917), 15, 73.
- Costa Rica against Germany (1918), 77.
- Cuba against Germany (1917), 15, 77.
- France, against—
 - Austria-Hungary (1914), 15, 88, 118.
 - Bulgaria (1915), 15, 91.
 - Germany (1914), 15, 86.
 - Turkey (1914), 15, 90.
- Germany, against—
 - Belgium (hostilities authorized, 1914), 15, 102.
 - France (1914), 15, 103.
 - Portugal (1916), 15, 104.
 - Roumania (1916), 15, 106.
 - Russia (1914), 15, 100.
- Great Britain, against—
 - Austria-Hungary (1914), 15, 117.
 - Bulgaria (1915), 15, 119.
 - Germany (1914), 15, 115.
 - Turkey (1914), 15, 119.
- Greece, against—
 - Bulgaria (1916), 15, 159, 161.
 - Germany (1916), 16, 159, 161.
- Guatemala, against Germany (1918), 162.
- Italy, against—
 - Austria-Hungary (1915), 16, 163.
 - Bulgaria (1915), 16, 171.
 - Germany (1916), 16, 171.
 - Turkey (1915), 16, 169.
- Japan, against Germany (1914), 16, 176.
- Liberia, against Germany (1917), 16, 180.
- Montenegro, against—
 - Austria-Hungary (1914), 16, 182.
 - Germany (1914), 16, 183.
- Nicaragua, against Germany (1918), 77.
- Panama, against—
 - Austria-Hungary (1917), 16, 196.
 - Germany (1917), 16, 196.
- Portugal, against Germany (Intervention authorized, 1914), 16, 199.
- Roumania, against Austria-Hungary (1916), 16, 203.
- Russia, against—
 - Bulgaria (1915), 16, 209.
 - Turkey (1914), 16, 208.
- Sanmarine, against Austria-Hungary (1915), 16, 163.

Declarations of War—Continued.

Serbia, against—

Bulgaria (1915), 16, 212.

Germany (1914), 16, 211.

Turkey (1914), 16, 221.

Siam, against—

Austria-Hungary (1917), 16, 212.

Germany (1917), 16, 212.

Turkey, against—

Allies (1914), 16, 219.

Roumania (1916), 16, 222.

United States, against—

Austria-Hungary (1917), 16, 230.

Germany (1917), 16, 225.

De facto power in Greece, 161.

De facto situation, 172, 204, 205.

Defense (*see* Self-defense).merchant vessels armed for (*see* Armed merchant vessels).

Defense of the realm, 189, 192.

Defense secrets, Norway, resolution relating to, 192.

Defensive sea areas:

entrances of, 238, 241, 242.

fisheries in, 238, 242.

navigation in, 237.

Panama Canal Zone, 241.

penalty for violation of regulations, 238, 242.

pilotage in, 238, 242.

responsibility for damage in, 238, 242.

United States—

Executive orders establishing, 238, 240, 241.

Regulations for, 237.

vessels to fly national flag in, 237, 242.

See also Blockade, Commercial restrictions, Military areas, Mined areas, War zones.

De Jure situation, 172, 204.

Dell Armi, Cape, 174.

Democracy, defense of, by United States, 77.

Democratic nations, 197.

Denmark:

aliens, supervision of, 80.

flag, use of false, 83.

neutrality proclamation, 78.

neutrality, penalties for violation of, 82.

pilotage, compulsory, 80.

territory, protection of, 79, 80.

vessels, false declaration of destination, 82, 85.

vessels, regulation of, 83.

vessels, sale of, 84.

vessels, service on belligerent, 82.

waters excluded from mined area, 133, 134.

Departure of vessels (*see* Territorial waters).

Deportation, for offenses against neutrality, 80.

Destination:

enemy (*see* Enemy destination).false (*see* False destination).

port of, to be declared, 29, 85, 86.

ultimate (*see* Continuous voyage, Contraband).

Destruction :

- of merchant vessels—
 - by mines, 126.
 - by submarine vessels, 61, 64, 70, 73, 161, 223.
 - in war zone, 72, 107, 112, 223.
 - without warning, 64, 181.
- of prizes, 137.
- of religious edifices, 19.
- See also* Persons, noncombatant; Submarine warfare; Warfare, means of; War zones.

Detention :

- of vessels trading with enemy territory, 95, 139, 143.
- of officers and crew of vessels (*see* Internment).

Diplomatic correspondence, abuse of, 38.

Diplomatic dispatches, may be sent in cipher, 29.

See also Transmission of intelligence.

Diplomatic officer :

- departure of requested, 57.
- See also* Diplomatic relations, breaking of; Passports.
- dismissal of, 37, 38.
- display of flag in neutral territory permitted, 83.
- guarantees of safety, 212, 250.
- neutral, in charge of belligerent interests, 51, 52, 59, 88, 101, 119, 171, 207, 209, 211, 229.
- See also* Germany, Italy, Netherlands, Sweden, United States.
- persona non grata*, 38.
- Status of after declaration of war, 74.

Diplomatic relations, breaking of :

- Austria and—
 - Japan (1914), 16, 51.
 - Portugal (1916), 16.
 - Serbia (1914), 16, 49.
 - United States (1917), 16, 52.
- Belgium and—
 - Germany (1914), 54, 59.
 - Turkey (1914), 59.
- Bolivia and Germany (1917), 17, 60, 198.
- Brazil and Germany (1917), 17, 64, 198.
- China and Germany (1917), 17, 71.
- Costa Rica and Germany (1917), 17.
- Cuba and Germany (1917), 198.
- Ecuador and Germany (1917), 17.
- Egypt and Germany (1914), 17.
- France and Austria-Hungary (1914), 17, 87.
- Germany and Japan (1914), 104.
- Great Britain and Bulgaria (1915), 119.
- Greece and—
 - Austria-Hungary (1917), 17, 161.
 - Turkey (1917), 17.
- Guatemala and Germany (1917), 17, 162.
- Haiti and Germany (1917), 17.
- Honduras and Germany (1917), 17.
- Liberia and Germany (1917), 180.
- Montenegro and Germany (1914), 183.
- Nicaragua and Germany (1917), 17.
- Panama and Germany (1917), 198.
- Peru and Germany (1917), 17, 198.

Diplomatic relations, break of—Continued

Russia and—

Bulgaria (1915), 209.

Turkey (1914), 207.

Serbia and—

Bulgaria (1915), 211.

Germany (1914), 211.

Turkey and United States (1917), 17.

United States and—

Germany (1917), 17, 222.

Turkey (1917), 229.

Uruguay and Germany (1917), 17, 198, 259.

Diplomatic Relations:

acts stated as justification for breaking

alliance with the enemy, 211.

hostile acts against ally, 52, 162, 211, 229.

inadequate reply to demands, 49.

military assistance to enemy, 87.

violation of specific pledges, 224.

breaking of, does not imply war, 59.

breaking of, list during European war, 16.

principles, states, as reasons for breaking—

further the cause of peace, 71.

maintenance of international law, 70, 71.

protest against submarine warfare, 64, 181, 199.

protect lives and property of nations, 70, 181.

See also Diplomatic officers, Passports.

Disguise, use of, to escape capture, 154.

Dismissal of minister (*see* Diplomatic officer, dismissal of).

Dispatches:

diplomatic (*see* Diplomatic dispatches).

military, liability of vessel for carriage of, 151.

See also Transmission of intelligence, Unneutral service.

Distress, assistance to vessel in, 154.

See also Asylum.

Dobrudsha, 69.

Dodekones, Italian demands in respect to, 166.

Domain (*see* Aerial domain, Territorial waters, Territory)

Domicile, determines enemy character, 141, 142.

See also Enemy character, Residence.

Dominican Republic, clearance of merchant vessels, 85, 86.

Drama, Greece, German guarantee in reference to, 161.

Economic conference of Paris (*see* Paris Economic Conference).

Economic forces, use of authorized, 78.

Economic hostility, justifies war, 172.

Economic interests, 59, 63, 181.

Economic war (*see* Commercial restrictions).

Ecuador, breaking of diplomatic relations, 17.

Effective blockade (*see* Blockade).

Egypt:

declared a protectorate of Great Britain, 119.

diplomatic relations, breaking of, 17.

hostilities in, 220, 222.

Elizabeth, Austrian war vessel, instructed to engage in hostilities, 51.

Embargo (*see* Requisition).

Emigration of alien enemies restricted, 228, 232.

Enemy:

assistance to, 203.

See also Unneutral service.

- Enemy—Continued.
 definition of, 141.
 trading with (*see* Trading with the enemy).
- Enemy association, firm of, 158.
See also Blacklist, Enemy character.
- Enemy character:
 of goods—
 enemy association, 158.
 enemy brand or manufacture, 95.
 presumed when on enemy vessel, 201.
 products of enemy soil, 95.
 See also Enemy destination, Enemy origin, Enemy property.
 of persons—
 domicile, 142.
 nationality, 158.
 See also Blacklist.
 of vessel—
 ownership, 236, 248.
 flag, 154, 246, 248.
 register, 246, 248.
- Enemy destination:
 application of continuous voyage to, 95, 139, 202.
 evidence of, 93, 139, 141, 145, 202.
 goods of, to be detained, 95, 139, 143.
 of vessel, 145.
- Enemy goods, liability of, on neutral vessel, 95, 138, 198, 203.
- Enemy nationality (*see* Alien enemies, Blacklist, Enemy character).
- Enemy origin:
 application of continuous voyage to, 140.
 evidence of, 95, 140, 141.
 goods of, to be detained, 138, 139, 143.
 neutral property of, to be released, 140.
- Enemy ownership (*see* Enemy property).
- Enemy persons (*see* Alien enemy, Enemy character).
- Enemy property, treatment of, 95, 141, 142, 246, 248.
See also Enemy goods, Enemy character.
- Enemy territory (*see* Territory, enemy).
- England (*see* Great Britain).
- English Channel, navigation in, 128.
- English language, use of, in telegrams permitted, 24, 26, 191.
- Enlistment in belligerent public vessels by neutral forbidden, 82.
See also Territory, neutral.
- Entente, Triple:
 Arabia, ally of, 21.
 declaration relating to peace negotiations, 89.
 Greece an ally of, 161.
 memorandum on submarines, 98.
 policy of, 223.
 war aims of, 111, 114.
 warning to Bulgaria, 208.
- Entente powers, legislation of, applicable in prize cases, 203.
- Equality of rights of nations, 112, 113.
- Equilibrium, political, 204, 206.
See also Balance of power.
- Equipping vessels (*see* Base of operations, Territory).
- Escape, attempt to, 223.
- Espionage, 190.
See also Military information.

- Ethnic aspirations, 167.
See also Nationality.
- European crisis, danger of, foreseen, 164.
- European equilibrium, 206.
- European war (*see* Declarations of War; War of 1914).
- Evidence in prize case, 156.
- Exequatur, revocation of, 90, 102, 181.
- Existence, right of, 101, 114, 200.
- Expanding bullets (*see* Warfare, means of).
- Explosive bullets (*see* Warfare, means of).
- Explosives :
 - entrance of vessels with, forbidden by neutral, 24.
 - alien enemies not to have, 228.
See also Arms and munitions.
- Expulsion :
 - of alien enemies authorized, 226, 228, 232.
 - of Italians from Austria, 168.
- Fait accompli*, 38, 68.
- False declarations, 190.
- False destination, penalty for declaring, 42, 82, 85, 86, 180.
- False flag, use of, 154.
- Family of nations, 73.
- Far East, peace of, 175, 176.
- Fisheries in defensive sea areas, 238.
- Fitting vessels for warlike use (*see* Base of operations; Territorial waters).
- Flag :
 - Denmark, notification relating to use of foreign, 83.
 - display of foreign, in neutral territory forbidden, 83.
 - evidence of character of vessel, 154, 246, 248.
 - misuse of neutral, authorized, 107, 109.
 - to be displayed on offering resistance, 154.
 - to be displayed in defensive sea area, 237.
 - to be displayed by submarine in neutral waters, 194, 195, 214, 216.
 - to be displayed by vessel in neutral waters, 193.
 - unlawfully displayed in neutral territory to be confiscated, 83.
 - use of false, to escape capture, 154.
 - use of false, to approach undetected, 154.
 - use of neutral, in mine laying, 128.
See also Transfer of flag.
- Force majeure*, 24.
- Force, use of, authorized, 226, 230.
- Forces, armed (*see* Armed forces).
- Fortifications :
 - access to forbidden, 189, 192.
 - alien enemies not to approach, 228.
 - sketching of, forbidden, 190.
- Forte Apulia, 174.
- Frans Ferdinand, Archduke, murder of, 41.
- France :
 - agreed to respect Belgian neutrality, 53, 116.
 - appealed to as guarantor of Belgian neutrality, 55.
 - blockade declarations, 91, 92, 93, 94.
 - declarations of war, 15, 86, 88, 90, 91.
 - diplomatic relations, breaking of, 17, 87, 118.
 - hostile acts by, in German territory, reported, 103.
 - jurisdiction of prizes, convention relating to, 143.
 - mined areas, notification of, 97.
 - peace negotiations, joint declaration with reference to, 89.
 - protest against violation of treaty by Germany, 87.

France—Continued.

retaliatory measures, declaration of, 94, 137.

revocation of exequaturs, 90.

sojourn of submarines, note relating to, 98.

treatment of prizes, 149.

violation of Belgian territory reported, 103.

See also Declaration of war; Diplomatic relations, breaking of; Entente.

Free ships, free goods, not observed, 108.

Freedom of the seas, 78, 114, 223.

approved by Germany, 113.

British responsibility for, 127.

British violation of, 109.

United States defense of, 162.

See also Commercial restrictions, Navigation.

French Congo (*See* Congo).

French language, use of, in telegrams permitted, 24, 26, 191.

Friendly neutrality, 102, 210.

Frontier, rectification of, 204.

Fuel (*see* Coal, Coaling).

Fuel depot (*see* Coaling station).

Full bunkers (*see* Coaling).

Gallipoli, 175.

Geir, German war vessel, requisitioned, 246.

German East Africa:

blockade of, 135.

defense of, 56.

German language, use of, in telegrams permitted, 24, 26, 191.

German prize regulations, on resistance, 153.

German radio operators on neutral vessel, 27.

Germany:

activity in Arabia, 21.

ally of Turkey, 229.

days of grace offered to French vessels, 103.

declarations of war, 15, 100, 102, 103, 104, 106, 206.

departure of Belgian minister from Luxemburg, demanded, 57.

deprivation of territory, entente war aim, 111.

diplomatic relations, breaking of, 104.

enemy of Greek race, 160.

hostile acts against Italy, 171, 172.

interpretation of British armed merchant vessel instructions, 155.

intrigues in China, 76.

methods of warfare, denounced, 61, 70, 72, 73, 74, 94, 137, 142, 198, 222.

See also Submarine warfare, War zone.

military assistance to Austria Hungary, 171, 172.

military control in Turkey, 90, 119.

military measures in neutralized territory, 53, 54, 101, 102, 182.

mined areas, 106, 107.

minister charged with Austrian interests in Serbia, 211.

minister dismissed by Argentine Republic, 37.

navigation regulations, 106.

passage of troops through Belgium demanded, 53, 102.

pledges to Belgium, 102.

political principles of, 113.

propaganda in Greece, 160.

refusal to agree to respect Belgian neutrality, 116.

sale of war vessels to Turkey, 219.

submarine warfare, conduct of, 112, 223.

supported Italian demands against Austria, 166.

2



Guatemala—Continued.

- diplomatic relations, breaking of, 17, 161.
- use of territorial waters offered to United States, 162.

Gun practice, forbidden in neutral waters, 188.

Hague conventions:

- neutrality determined by, 60.
- to be observed by belligerents, 50, 72, 74, 75, 77, 87, 183.
- violated, 61.

Hague Conventions, 1907:

- III. Convention relative to the opening of hostilities, 50.
 - state of war to be notified to neutrals (art. 2), 87, 88.
- IV. Convention respecting the laws and customs of war on land.
 - arms calculated to cause unnecessary suffering (annex, art. 23, e.), 154.
- V. Convention respecting the rights and duties of powers and persons in case of war on land,
 - neutral territory inviolable (art. 1), 86, 87.
 - transit of neutral territory forbidden (art. 2), 86, 87.
 - right to repel by force, violations of neutrality (art. 10), 55, 58.
- VII. Convention relative to the conversion of merchant ships into ships of war, 23.
- VIII. Convention relative to the laying of automatic contact submarine mines.
 - notification of danger zones (art. 3), 97.
 - mines to become harmless in limited time (art. 3), 121.
- XIII. Convention concerning the rights and duties of neutral powers
 - in maritime war, 212, 213, 214.
 - right of neutral to change rules (preamble, par. 5), 218.
 - base of operations (art. 5), 25.
 - arming vessels in neutral territory (art. 8), 22.
 - exclusion of delinquent belligerent vessels from port (art. 9), 70.
 - repairs in neutral port (art. 17), 70.
 - internment (art. 24), 70, 194.

Hague International Tribunal, 49.

Haiti:

- diplomatic relations, breaking of, 17.
- neutrality regulations, 162.

Harbor regulations, 82.

Harbors:

- blockaded, 173.
- neutral, access to forbidden, 192.

Hedjaz:

- Kingdom, ally of entente powers, 21.
- political principles of, 20.
- proclamation of independence, 17.

Hegemony, of Germany, 206.

Hellenism, aspirations of, 160.

Helsingör, pilotage station, Denmark, 81.

Herzegovina, 41, 42.

High seas, conversion of armed merchant vessels on, forbidden, 154.

See also Freedom of the seas.

Holger, German auxiliary vessel, interned, 32.

Holland (*see* Netherlands).

Holy war, proclamation of, by Turkey, 170.

Honduras, breaking of diplomatic relations, 17.

Honor, national, 54, 161, 224.

Hospital ships, (*see* Sojourn, Vessel, hospital).

Hostile act:

- anticipation of, 102.
- alien enemy not to commit, 228.

Hostile act—Continued.

- in neutral territory (*see* Territory, neutral).
- repelling attack on neutrality not so considered, 55.
- war justified by (*see* Declaration of war, acts justifying).

Hostilities:

- aiding or abetting, forbidden to neutrals, 178.
- after signature of peace treaty, 189.
- authorized—
 - Austria-Hungary against Japan (1914), 51.
 - Austria-Hungary against Montenegro (1914), 15, 183.
 - Portugal against Germany (1914), 16, 199.
 - Germany in Belgium (1914), 102.
 - Germany in Luxemburg (1914), 101.
- See also* Declarations of war.
- Before declaration of war, alleged:
 - Bulgaria in Roumania, 68, 69.
 - Bulgaria in Serbia, 212.
 - France against Germany, 103.
 - Germany against France, 86.
 - Germany against Italy, 171.
 - German courts opinion, 172.
 - Serbia against Bulgaria, 66.
 - Turkey against France, 90.
 - Turkey against Russia, 207.
- Between Sweden and Norway rendered impossible, 189.
- conduct of (*see* Warfare, means of).
- in neutral territory (*see* Territory, neutral).
- limitation of area of, 56.
- military measures do not constitute, 101.
- opening of, 183.

See also Hague Conventions, 1907, III: Declarations of war.

Humanitarian purpose, vessel engaged in (*see* Sojourn, Vessels).

Humanity:

- duties of, 137.
- laws, violated, 73, 114.
- principles of, to be observed, 56, 72, 74, 75, 94, 138, 162, 197, 212, 222.
- violation of principles of, 58.

Immigration of alien enemies restricted, 229, 232.

Impartiality to be observed by neutrals, 84, 178.

India, independence of, 113.

Indemnity:

- for confiscations, 219.
 - for damages, 102.
 - for goods requisitioned, 201.
- See also* Compensation; Damages.

Independence:

- Arabia proclaimed, 20.
- attack upon, a violation of international law, 54.
- Bagdad, proclaimed, 20.
- Belgium to be guaranteed, 102.
- Hedjaz, proclaimed, 17.
- Ireland, suggested, 113.
- India, suggested, 113.
- Serbia, Italian interest in, 165.
- Serbia, Russian interest in, 200.

See also Neutralization; Guaranty.

Information (*see* Military Information; Transmission of intelligence).

Innocent passage through neutral waters, 185.

See also Territorial waters.

- Integrity of Territory (*see* Independence; Neutrality; Neutralization; Territory).
- Intention, evidence of hostile, 154.
- International judicial order, 65.
- International justice, defense of, 78, 162.
- International law:
- adherence to, 72, 77, 87, 176, 197, 198, 250.
 - applied to blockade, 173.
 - applied to neutrality, 219.
 - applied in prize cases, 156, 203.
 - applied to submarine vessels, 98, 99.
 - offenses against, 178.
 - protest against violations of, 55.
 - responsibility for preservation of, 70, 73, 74, 77.
 - sanctity of, 71.
 - violations of, by Germany—
 - Belgium, 54, 55.
 - submarine warfare, 61, 72, 73, 94, 137, 142, 198, 222.
 - violations of, by Entente, 108, 111, 228.
- International signal to be displayed by submarine, 194, 195, 216.
- International society, foundations of, 197.
- Interned vessels (*see* Vessels, Internment).
- Internment:
- Argentine Republic, General orders relating to, 30, 31.
 - of persons—
 - alien enemies, 212, 229, 232.
 - officers and crew of interned vessel, 194.
 - officers may be released on parole, 194.
 - prize crew of restored prize, 62.
 - of vessels—
 - belligerent auxiliary vessel, 31, 32.
 - belligerent merchant vessel, 31, 212.
 - belligerent war vessel, 70, 194, 217.
 - belligerent submarine vessel, 99, 214.
- See also* Hague Conventions, 1907, XIII; Prizes.
- Intervention:
- authorized by Portugal, 199.
 - reasons for—
 - alliance with belligerent, 200.
 - national interests and duties, 199.
 - Roumania in Balkan war, 204.
 - United States in European war, 197.
- Invoices, ship's papers, 152.
- Ireland, independence of suggested, 113.
- Islam (*see also* Moslem), 220, 221.
- Islam, Sheikh of, 18.
- Islands, blockaded, 173.
- Isonza, Italian demands in respect to, 166.
- Italian language:
- permitted in telegrams, 24.
 - preservation of, 167.
- Italian nationality, hostility of Austria to, 167.
- Italy:
- accession to convention relating to prizes, 143.
 - adhesion to declaration of Entente, peace negotiations, 89, 90.
 - ambassador, in charge of Russian interests in Turkey, 207.
 - blockades, 172, 173, 174.
 - conciliatory proposals, 164.
 - declarations of war, 16, 163, 164, 169, 171, 204.
- 43760—18—18

Italy—Continued.

- demands of Turkey, 170.
- navigation restrictions, 174.
- policy of peace, 164.
- right to compensation in the Balkans, 165.
- ultimatum, 170.
- withdrawal from Triple Alliance, 168.
- See also*, Declarations of war; Diplomatic relations, breaking of, Turco-Italian war.

Japan:

- adhesion to Entente declaration, peace negotiations, 89.
- blockade, 177.
- declaration of war, 176.
- demands return of Kiao Chau to China, 176.
- ultimatum, 175.
- See also* Declarations of war; Diplomatic relations, breaking of; Neutrality proclamations.

Joint captures:

- Franco-British convention relating to, 141.
- instructions in regard to, 149.
- jurisdiction of, 146.
- procedure after, 150.
- See also* Capture, Prizes.

Jurisdiction:

- in Panama Canal Zone, 245.
- of Criminal proceedings, 47.
- of joint captures, 146.
- of prizes, 145.
- of the United States, 246, 248.
- See also* Prizes, Territory.

Jurisdictional waters (*see also* Territorial waters), 214.

Justice:

- defense of, by United States, 77.
- lack of, in German policy, 199.
- principles of, 197.

Justification for war (*see* Declarations of war, acts stated as justification for).Kavalla (*see* Cavalla).

Kiao Chau:

- blockade of, 177.
- German withdrawal from demanded, 176.
- restoration to China, 176.

Klepball, Cape, 173.

Koweyt, Arabia, ally of entente powers, 21.

Kron Prinz Wilhelm, German cruiser requisitioned, 32, 246.

Lack of fuel and provisions (*see* Asylum).Languages, permitted in telegrams (*see* Transmission of intelligence).Lausanne, treaty of (1912) (*see also* Treaties), 169.

Law:

- decrees contrary to, 37, 156.
- defense of, by United States, 77.

Law of nations (*see also* International law), 72, 77, 87, 108, 176.

Leased territory, 176.

Liberia:

- Diplomatic relations, breaking of, 180.
- neutrality proclamation, 177.
- threatened by Germany, 181.
- trade regulation, 179.

Liberty, cause of, 197.

- Liebenfels*, German war vessel, requisitioned, 246.
- Lighthouse regulations, 218.
- Lighthouses, extinguished on Bulgarian coast, 69.
- Loans (*see* Territory, neutral).
- Local regulations, 82, 128, 129, 186, 189, 218.
 - See* Customs, Harbor, Lighthouse, Pilotage, Police, Sanitary regulations; Sojourn; Territory.
- Locksen*, German war vessel, requisitioned, 246.
- London, Declaration of (1909) (*see* Declaration of London).
 - Declaration of Entente (1914), on separate peace, 89.
 - Convention of (1867), Luxemburg neutralization, 86, 182.
 - Conference of ambassadors at (1913), Balkans, 173.
 - See also* Treaties.
- Lorton, Peruvian vessel, sunk by submarine, 199.
- Luxburg, Karl, German minister, dismissed from Argentine Republic, 37, 38.
- Luxemburg:
 - departure of Belgian minister from, 57.
 - neutrality violated, 86, 182.
 - protest by, 182.
- Lybia, Italian interest in, 169.
- Macedonia, blockade of, 93, 209.
- Madeira islands, war zone around, 115.
- Mahrousseh*, French prize case, 90.
- Malvinas Islands, radio communication with, 26, 29.
- Mariners, notice to (*see* Mines, Ports).
- Maritime jurisdiction (*see* Freedom of the Seas, Territorial waters).
- Maryland, Danish vessel, destroyed by mine, 121.
- Means at disposal, 216.
- Means of warfare (*see* Hague conventions, 1907, IV; Warfare, means of).
- Mecca, proclamation of sheriff of, 17.
- Mediation, attempted by Germany and England, 100.
- Mediterranean, war zone in, 110.
- Merchandise, Brazilian decree relating to discharge of, 62.
 - See also* Cargo, Enemy goods.
- Merchant marine:
 - auxiliary to navy, 64.
 - national value of, 63.
 - taking over by neutral state, 64.
- Merchant vessels (*see* Armed merchant vessels, Coaling, Internment, Vessels).
- Messina, Straits of, navigation in, 174.
- Mexico, neutrality declaration, 182.
- Military area:
 - access to forbidden, 192.
 - alien enemy not to approach, 228.
 - sketches of forbidden, 190.
 - See also* Fortifications, War zone.
- Military defenses:
 - aliens not to be near, 188.
 - publication of plans of forbidden, 82.
- Military exercises, access to forbidden, 190, 192.
- Military fleet, 243, 244.
- Military force (*see* armed forces, Base of Operations).
- Military hospital ship (*see* Sojourn, Vessels).
- Military information:
 - not to be sent in telegrams, 192.
 - penalty for publishing, 191.
 - recording of forbidden, 188, 190.
 - transmission of from neutral territory forbidden, 218.
 - See also* Transmission of intelligence.

- Military inventions, effect on law, 213.
- Military zone (*see* Military area, War zone).
- Mined areas:
 - Adriatic sea, 97.
 - Baltic sea, 210.
 - British coast, 128, 131.
 - caution when approaching, 123.
 - Bulgarian coast, 69.
 - North sea, 106, 120, 122, 123, 126, 133, 134.
 - See also* Defensive sea areas, Navigation.
- Mines:
 - Austro-Hungarian policy denounced, 97.
 - Bulgarian announcement of laying, 69.
 - France, notification of areas, 97.
 - Germany—
 - policy of, denounced, 122, 126.
 - notification of areas, 106, 107.
 - scattering in North sea, 120.
 - Great Britain—
 - memorandum reserving right to lay, 120.
 - memorandum relating to enemy, 120, 121.
 - notification of areas, 122, 126, 133, 134.
 - notices to mariners, 123, 124.
 - directions for navigation in, 127.
 - laid by trawlers, 121.
 - neutral waters closed by, 134, 215.
 - notices to mariners in reference to, 123, 124.
 - ports closed by, 217.
 - Russia, notification of areas, 210.
 - Sweden, decree relating to areas, 215.
 - See also* Hague conventions, 1907, VIII; Mined areas; Navigation.
- Ministers (*see* Diplomatic officers).
- Mobilization of forces:
 - Austria-Hungary, 206.
 - reason for ultimatum, 100.
 - Russia, 103, 206.
 - Serbia, 211.
- Monroe doctrine, new interpretation of, 65.
- Montenegro:
 - declaration of war, 16, 182.
 - diplomatic relations, breaking of, 183.
 - excepted from blockade of Adriatic, 174.
 - isolation of, 165.
- Moral duty, under alliance, 167.
- Morocco, 220.
- Moslem community, 18, 221.
 - See also* Islam.
- Mozambique, passage of British troops in, 104.
- Narodna Odbrana*, Serbian society, 45.
- Nations, rights of, 162.
- National aspirations, 163.
- National dignity, 224.
- National honor, 54, 161, 224.
- National interests, 161, 163, 199.
- National rights, 19, 73, 163.
- National security, 78.
- National unity, 206.

- Nationality:**
 declaration of, by vessels, 83, 190.
 enemy (*see* Alien enemies, Enemy character).
 methods of destroying, 167, 168.
 principle of, 69, 114, 163, 167, 205.
- Naval conference, 1909 (*see* Declaration of London).
- Naval prize act, British (1864), referred to, 155.
- Naval stations (*see also* War ports), 184, 187.
- Navigation, coastwise, confined to national vessels, 63.
- Navigation regulations:
 approaches to British ports, 124.
 defensive sea areas, 237, 241, 242.
 English channel, 128.
 German coast, 106.
 mined areas, 123, 127, 215.
 neutral waters (*see* Asylum, Base of operations, Sojourn, Territorial waters).
 North Sea, 128, 130.
 notices to mariners, 123, 124.
 Straits of Messina, 174.
 war zone, 109.
See also Commercial restrictions, Freedom of the Seas, Local regulations, Mines areas, War zones.
- Navy, merchant marine auxiliary to, 64.
- Nearest home port (*see* Coaling).
- Necessity:
 physical, 244.
 political, 167.
 public, 63, 64.
- Negotiation, peace through, 114.
- Neighborly relations, 38, 42, 47.
- Nejd, Arabia, ally of Entente powers, 21.
- Netherlands:
 minister charged with Russian interests in Bulgaria, 209.
 neutrality declaration, 183.
 transmission of Chinese war declaration to Germany, 74.
 waters excluded from mined area, 133, 134.
- Neutral character of goods, evidence of, 201.
See also Enemy character.
- Neutral commerce, arbitrarily limited by Entente, 114.
See also Commercial restrictions.
- Neutral diplomatic officers (*see* Diplomatic officers, neutral).
- Neutral goods:
 release of, 139, 201.
 requisition of, 95.
 sale of, 95.
- Neutral jurisdiction (*see* Territory, neutral).
- Neutral persons (*see* Persons, neutral).
- Neutral property on the high seas (*see* Blockade, Capture, Contraband, Free ships, free goods; Neutral goods, Unneutral service, Visit and search).
- Neutral rights:
 not effectively maintained, 60, 109.
 use of force to protect, 37, 78, 198, 216, 224, 249.
- Neutral states:
 asquiescence in belligerent violations of law, 60, 109.
 attitude toward war upon entrance of United States—
 Bolivia, 59, 60.
 Brazil, 64, 65.

Neutral states—Continued.**attitude toward war upon entrance of United States—Continued.**

China, 70.
 Costa Rica, 77.
 Guatemala, 162.
 Liberia, 180, 181.
 Mexico, 182.
 Netherlands, 183.
 Peru, 197.
 Salvador, 210.
 Switzerland, 216.
 Uruguay, 249.
 Venezuela, 250.

See also Declarations of war; Diplomatic relations, breaking of; Neutrality proclamations.

economic interest, 59.

rupture with Germany suggested, 224.

Neutral territory (*see* Territory, neutral; Neutralization).**Neutrality:**

benevolent, 198.
 friendly, 102, 210.
 impartial, 78.
 interest of American nations in, 60.
 Japan's attitude toward, 176.
 maintenance of, 78, 198, 216, 233.
 of opinion, 78, 84, 162.
 offenses against, 79, 80.
 penalty for violation of—
 persons, 29, 35, 78, 79, 80, 82, 178, 180.
 vessels, 70.

See also Internment; Neutral rights.

permanent (*see* Neutralization).

qualified, 64, 77, 102, 162, 198, 210, 249.

recognition of Albanian, 173.

recognition of Swiss, 233.

respect, 216, 233.

revocation of, 64.

strict, 178, 180, 183, 250.

See also Hague Conventions, 1907, V, XIII; Neutral States.

Neutrality declarations (*see* Neutrality proclamations).**Neutrality Proclamations:**

Argentine Republic (1915), 82.
 Bolivia (1915), 59.
 Brazil (1914), 61.
 Bulgaria (1914), 66.
 Denmark (1914), 78.
 Liberia (1914), 177.
 Mexico (1917), 182.
 Netherlands (1917), 183.
 Norway (1914), 189.
 Sweden (1914), 189.
 Switzerland (1917), 216.
 Turkey (1914), 217.
 Venezuela (1917), 250.

Neutrality regulations:

right to modify, 62, 213.
 joint, 183, 189.

Neutralization:

guarantors of, appealed to, 116, 217.
 duties of states subject to, 58.

- Neutralization—Continued.
 - violation of, denounced, 53, 54, 55, 58, 86, 88, 116, 182.
 - violations of, justified by—
 - self-defense, 102, 103.
 - anticipation of hostile attack, 53, 102.
 - See also* Albania, Belgium, Guaranty; Luxemburg; Panama Canal Zone; Suez Canal; Switzerland; Treaties.
- Neutralized territory (*see* Neutralization).
- Nicaragua:
 - declaration of war, 77.
 - diplomatic relations, breaking of, 17.
- Noncombatant (*see* Persons, noncombatant).
- North Sea:
 - military area, 127.
 - mined areas, 106, 120, 122, 123, 126, 133, 134.
 - regulations for navigation in, 128, 130.
 - war zone, 109, 110.
- Notice to mariners (*see* Mines; Navigation; Ports).
- Notification of blockade (*see* Blockade).
- Norway:
 - criminal law, 190.
 - defense secrets, 189, 192.
 - hostilities with Sweden rendered impossible, 189.
 - interned war vessels, 194.
 - neutrality declaration, 183, 184, 189.
 - neutrality, joint declaration, 183, 189.
 - postal communication, 193.
 - sojourn of war vessels, 187.
 - sojourn of submarine vessels, 194, 195.
 - telegraphic communication, 191, 193.
 - vessels, surveillance of, 193.
 - waters excluded from war zone, 115.
- Norwegian language, telegrams in, permitted, 191, 192.
- Occupation, territory under (*see* Territory, occupied).
- Offense, vessel equipped for (*see also* Armed merchant vessel), 243.
- Offenses against neutrality (*see* Neutrality).
- Officers:
 - interned, released on parole, 194.
 - See also* Internment, Prizes, Vessels.
 - of foreign warship, may wear arms in neutral territory, 188.
 - discipline of crew, 243.
- Official dispatches (*see* Transmission of intelligence).
- Officials (*see* Armed forces, Consuls, Diplomatic officers, Officers).
- Open-door policy, Germany favors, 113.
- Opinion, neutrality of, 78, 84, 162.
- See also* Transmission of intelligence.
- Origin of goods (*see* Continuous voyage, Enemy origin).
- Otrante, cape of, 173, 174.
- Ottoman Empire (*see* Turkey).
- Ownership (*see* Enemy Property).
- Pacific settlement, proposed by Serbia, 48.
- Panama:
 - declaration of war, 196.
 - diplomatic relations, breaking of, 198.
 - neutrality instructions, 195, 196.
- Panama City, Panama, 245.
- Pan-Americanism (*see also* American continents), 210.
- Panama Canal Zone:
 - aircraft forbidden in, 244, 245.
 - defensive sea area in, 241.

Panama Canal Zone—Continued.

- enemy vessels forbidden in, 245.
- equality of treatment in, 245.
- jurisdiction of United States in, 244, 246, 248.
- landing of troops in, forbidden, 245.
- radio apparatus, use of, in, 245.
- regulations for operation of, referred to, 243.
- repair of vessels in, 245.
- responsibility of United States for, 243.
- sojourn of belligerent war vessels in, 196, 245.
- United States, executive orders relating to, 241, 243.
- written assurances to be given by vessels using, 243.

Parana, Brazilian merchant vessel destroyed, 64.

Paris, Declaration of (*see* Declaration of Paris).

Paris Economic Conference, 163.

Paris, treaty of (1815), neutralization of Switzerland (*see also* Treaties), 216.

Parole, officers released on, 194.

Partiality, Danish law to prevent, in commercial matters, 84.

Partiality, in European war (*see* Qualified neutrality).

Passports:

- delivery of, to consuls, 71, 75.
- delivery of, to diplomatic officers, 37, 38, 54, 60, 71, 75, 117, 119, 162, 183, 199, 208, 211, 224, 250.
- request for, by diplomatic officer, 51, 52, 88, 101, 104, 118, 163.
- ship's papers, 152.

Patagonia, German vessel interned, 30, 31.

Peace:

- basis of, 113.
- breaking diplomatic relations to further cause of, 71.
- China, desire for, 72.
- Entente agreement with reference to separate, 89.
- German efforts toward, 100.
- hostilities after treaty of, 169.
- ideal of, 164, 187.
- Japan's interest in, of far east, 175.
- Mexican efforts for, 182.
- restoration of, object of war, 73.
- Russian attitude toward, 206.
- Triple Alliance to secure, 164.

Peace Standard, for supplying vessels in neutral port (*see* Provisioning).

Penal Code:

- applicable to violations of neutrality, 79.
- Norway, 190.

Penalty:

- for violation of defense act, 190.
- for violation of neutrality (*see* Neutrality).

Perfidy:

- of Bulgaria, 209.
- of Turkey, 208.

Permanent Neutrality (*see* Neutralization).

Perpetual Neutrality (*see* Neutralization).

Persia, British interest in, 21, 220.

Persons:**allens—**

- access to military areas, forbidden, 188, 192.
- not to wear arms on landing from war vessel, 188.
- not to prepare maps of fortified harbors, 188.
- submission to war measures required, 196.

See also Alien enemies.

Persons—Continued.

belligerent nationals—

seizure from neutral vessels, 108.

appearance in enemy prize court, 202.

See also Alien enemies, Interment.

combatant—

subject to naval discipline on war vessels, 243.

See also Armed forces, Officers, Prisoners of war.

neutral nationals—

endangered by submarine warfare, 181.

may pilot belligerent public vessels, 82.

not to act as commercial agent of belligerent, 179.

not to assist belligerent public vessels, 82.

not to commit hostile acts, 178.

not to enlist in belligerent public vessel, 82.

not to trade with belligerents, 180.

noncombatant—

beyond service age, so regarded, 32.

endangered in war zone, 107, 108, 110.

on interned vessel set at liberty, 32.

murder of, in submarine warfare, 161.

not to assist in armed resistance by merchant vessel, 154.

safety of, disregarded, 112, 133, 173, 161, 223.

safety of, on merchant vessels, assured, 111, 138, 223, 225.

safety of, on prize, must be assured, 137.

See also Destruction, Submarine warfare.

resident in neutral territory—

may not express unneutral opinion, 162.

See also Territory, neutral.*Persona non grata*, 37, 38.

Peru :

attitude toward war, 197.

diplomatic relations, breaking of, 17, 198.

Petrograd, international telegraphic convention of (*see also* Treaties), 24, 191.Philanthropic mission, vessels engaged in (*see* Sojourn, Vessels).

Pilotage :

in British channel, 123.

in defensive sea area, 238.

in mined area, 215.

in neutral waters, 80, 81.

of belligerent public vessels, by neutrals, forbidden, 82.

on German coast, 106.

regulations, 82, 129, 186, 189, 218.

See also Sojourn.

Pilots, use of national, required, 69.

Police regulations, 82, 186.

Port regulations, 186, 189, 218.

Ports :

belligerent—

blockade of, 173.

caution when approaching, 124.

closed, 124.

neutral vessels urged to stop at, 121.

neutral—

access to, forbidden. 189, 190, 217.

entrance by vessels with explosives forbidden, 24.

proclaimed as war ports, 187, 194.

submarine vessels forbidden to enter, 214.

use of, offered to belligerent, 162.

Porte, the (*see* Turkey).

Portugal:

- ally of England, 200.
- contraband, 202.
- declaration of war, 18, 199.
- military intervention authorized, 16, 199.
- requisition of cargo of enemy vessels, 200.
- requisition of enemy vessels, 200.
- unneutral conduct of, 104.

See also Declarations of war, Diplomatic relations, breaking of.

Portuguese language, permitted in telegrams, 24.

Postal communication, Norwegian law relating to censorship of, 193.

See also Transmission of intelligence.

Press, supervision of, 40, 43, 44.

President Quintana, Argentine vessel suspected of unneutral service, 27.

Prinz Eitel Friedrich, German war vessel interned, 246.

Prisoners of war:

- capture of escaped, 172.
- failure to release after war, 169.
- persons taken from neutral vessels made, 108.

Private property at sea (*see* Blockade, Capture, Commercial restrictions, Contraband, Enemy character, Free ships, Free goods, Neutral goods, Neutral commerce, Unneutral service, Visit and search).

Privateers, forbidden in neutral waters, 186.

Prize act, British naval (1864), referred to, 155.

Prize court:

- British, not bound by orders in council, 156.
- duties, 137, 139.
- enemy persons to appear by agent, 202.
- evidence in, 156.
- forbidden in neutral territory, 186, 218.
- jurisdiction over cargo of enemy vessels, 201.
- jurisdiction over requisition, 156, 157.
- Portuguese, 201.
- procedure of, 90, 140, 143, 155, 156.
- Russian ukase relating to, 145.
- ship's papers to be delivered to, 153.
- to administer retaliatory decree, 96.

Prize court act, British (1894), referred to, 155.

Prize crew (*see* Internment, Prizes).

Prize master, 152.

Prize money, distribution of, 147.

Prize regulations. German, on resistance, 153.

Prizes:

- appraisal of, 148.
- asylum to, 62, 186, 218.
- captured in violation of neutrality, restored, 185.
- cargo to be deposited in neutral state, 62.
- coaling of, 218.
- condition of, to be reported, 151.
- Franco-British convention relating to jurisdiction over, 148.
- Great Britain, order in council, requisition of, 155.
- Illegally in neutral port—
 - release of officers and crew, 62.
 - notification to depart, 62.
 - restoration of, 62.
 - internment of prize crew, 62.
- jurisdiction of, 145.
- proceeds of (*see* Prize money).

Prizes—Continued.

- provisioning of, 218.
- sale of, in neutral territory forbidden, 186.
- sending in of, 137, 148, 152.
- sojourn of, 218.
- treatment of, 148, 151, 152, 153.
- use of Panama Canal, 244.
- vessels liable as, 203.

Proclamation of war (*see* Declarations of war).

Proclamations of neutrality (*see* Neutrality proclamations).

Products of enemy soil (*see* Enemy character).

Property (*see* Enemy property, Neutral property, Private property).

Propaganda, by Germany in Greece, 160.

Protection of government withdrawn from persons guilty of unneutral acts, 178.

Protectorate, Egypt, 119.

Protest:

- against violation of international law, 55, 87.
- against violation of neutral rights, 71, 72, 181.
- against violation of guaranteed neutrality, 53, 182.
- against violation of treaties, 53, 55, 87, 117, 182.

Provisional government, of Greece, 161.

Provisioning:

- of belligerent war vessel in neutral ports—
 - authorization necessary, 217.
 - forbidden in Panama Canal Zone, 244.
 - "nearest neutral port," 218.
 - "peace standard," 185, 218, 244.
 - refused on second return, 218.
- of prizes, 218.

Provisions, lack of (*see* Asylum).

Public vessels (*see* Vessels).

Public officers (*see* Officers, Officials).

Qualified neutrality, 64, 77, 102, 162, 198, 210, 249.

See also Benevolent neutrality; Friendly neutrality; Neutrality; Partiality; Neutral States, attitude toward war.

Radiotelegraphy:

- alien enemy not to have apparatus, 228.
- Argentine Republic—
 - circulares relating to, 24, 26, 29.
 - decree relating to, 34.
 - general orders relating to, 25, 27, 33, 36.
- belligerent operator on neutral vessel, 27.
- censorship of, 33.
- evidences of unneutral use of, 27.
- merchant vessels to lower poles in neutral waters, 25, 27, 35.
- messages to belligerent vessels at sea forbidden, 36.
- messages to neutral vessels at sea permitted, 36.
- naval inspector to be on neutral vessel, 29.
- neutral duty in reference to, 28.
- official inspector of, 35.
- operators on neutral vessel to be of neutral nationality, 28, 34.
- operators to make report, 28, 35.
- station not to be established in neutral territory, 186, 219.
- use of, by merchant vessel in neutral waters forbidden, 25, 27, 28, 34.
- use of, in Panama Canal Zone, 244.

See also Telegraphy; Transmission of intelligence.

Railways, neutral use of, offered to belligerent, 162.

Reciprocity, condition for effectiveness of international conventions, 50, 87.

- Recognition :
 - of Turkey, 17.
 - of neutrality of Albania, 173.
- Rectification of frontiers, 204.
- Registers, ship's papers, 152.
- Registration of vessels, 83, 246, 248.
 - See also* Transfer of flag.
- Regulations :
 - internal, of belligerent state, alien enemies to observe, 226, 231.
 - internal, of neutral state (*see* Neutrality ; Radiotelegraphy ; Sojourn, etc.).
 - local (*see* Local regulations ; Navigation, etc.).
- Release of crew of prizes (*see* Prizes).
- Religious edifices, destruction of, 19.
- Religion, vessels devoted to (*see* Sojourn, vessels).
- Reparation (*see* Compensation ; Damages ; Indemnity).
- Repairing vessels (*see* Base of operations).
- Reprisals, threat of, 87.
- Requisition :
 - appraisal of vessel prior to, 157, 247, 248.
 - compensation in case of, 157, 247, 248.
 - detained vessel by belligerent, 157.
 - enemy vessel by belligerent, 105, 200, 246, 248.
 - goods of enemy origin, 95, 139.
 - goods destined to enemy, 96, 139.
 - Great Britain, orders in council, authorizing, 155.
 - national vessels by neutral state, 64.
 - neutral goods on enemy vessel, 201.
 - Portugal, decree authorizing, 200.
 - prizes, prior to condemnation, 157.
 - procedure, 157, 158.
 - right of to be determined by international law, 156.
 - temporary, 157.
 - United States, Executive orders authorizing, 246, 248.
 - United States, joint resolution, relating to, 246, 248.
- Requisitions, cash payment for, in Belgium, 102.
- Residence in enemy territory, 158.
- Resistance to visit and search (*see* Visit and search).
- Responsibility :
 - of belligerent—
 - for injury to neutral vessels, 90, 222.
 - for observance of law, 223.
 - in respect to submarines, 99.
 - of Germany, for war, 206.
 - of government—
 - for hostile acts, 39, 43, 90.
 - for maintenance of neutrality, 78.
 - of individuals, for maintenance of neutrality, 78.
 - of neutral state (*see* Base of operations, Neutrality).
 - of state—
 - for preservation of international law, 73.
 - under treaty of guarantee, 117.
- Restitution, claim for, 158.
- Restoration of prizes, 62, 140, 185.
 - See also* Prizes.
- Retallation :
 - against belligerent, may not injure neutral, 223.
 - Justified by threat to vital interests, 109.
 - by illegal acts of enemy, 94, 138, 142.
 - right of, 121.

Retaliatory measures :

- France, decree, authorizing commercial restrictions, 94.
- Germany, war-zone memorial, 108.
- Great Britain-France, joint declaration of commercial restrictions, 137.
- Great Britain, orders in council, commercial restrictions, 138, 141, 142.
- See also* Commercial restrictions, Mines, Navigation, War zones.

Riga, Gulf of, mined, 210.**Right :**

- subordinate to might, 181.
- war in defense of, 77, 78, 249.

Rights of nations (see Nations, rights of).**Roadsteads, blockaded, 173.****Roadsteads of war, proclaimed, by neutral, 154.****Routing of vessels, in military area, 127, 129, 130, 132.****Roumania :**

- declaration of war, 16, 203.
- isolation of, 165.
- member of Triple Alliance, 204.
- neutrality of, 204.
- unfriendly attitude toward Bulgaria, 67.

See also Declarations of war ; Diplomatic relations, breaking of.

Rupture of diplomatic relations (see Diplomatic relations, breaking of).**Ruse de Guerre, legitimate, 154.****Russia :**

- adhesion to convention relating to prizes, 145.
- appealed to as guarantor of Belgian neutrality, 155.
- declarations of war, 208, 209.
- diplomatic relations, breaking of, 207, 209.
- Entente agreement, no separate peace, 89.
- jurisdiction of prize courts, 145.
- mined areas, 210.
- mobilization of forces, 100, 103.
- reply to declaration of war, 206.

See also Declaration of war ; Diplomatic relations, breaking of ; Entente.

Russian language, telegrams in, permitted, 191.**Safe conduct, for blockade, 175.****Safety of persons on vessels (see Persons, Submarine warfare).****Sale :**

- goods of enemy destination, 95, 139.
- goods of enemy origin, 95, 139.
- prizes in neutral territory, forbidden, 186.
- vessel to belligerent, 104, 219.

Saloniki, Greek Government at, 161.**Salvador, attitude toward war, 210.****Sanitary regulations, 82, 186, 189, 218.****Scandinavian countries, joint neutrality declaration, 183.**

See also Denmark, Norway, Sweden.

Science, vessels devoted to (see Sojourn, Vessels).**Sea territory (see also Territorial waters), 190.****Search, right of (see Visit and Search).****Security, defense of, justifies war, 78.****Self defense :**

- justifies violation of neutrality, 102.
- right of merchant vessel to fight in, 153.
- rules for exercise of right by merchant vessel, 154.

Self government, approved by Germany, 113.**Sequestration of enemy goods, 95.****Serajevo, assassination at, 39, 41, 43.**

Serbia :

- adequacy of reply to Austrian ultimatum, 164.
- Ally of Greece, 159 .
- anti-Austrian activity, 39.
- Austrian ultimatum to, 38.
- declaration in reference to Bosnia and Herzegovina, 38.
- declaration of war, 18, 212.
- diplomatic relations, breaking of, 210, 211.
- Greek consideration for, 159.
- Italian interest in independence of, 165.
- reply to Austrian ultimatum, 42.
- See also* Declarations of war; Diplomatic relations, breaking of; Neutrality proclamations.

Seres, Greece, German guarantees in reference to, 161.

Severance of diplomatic relations (*see* Diplomatic relations, breaking of).

Seydlitz, German vessel, internment of, 81.

Ships (*see* Vessels).

Ship's papers to be inventoried, 152.

Siam :

- declaration of war, 16, 212.
- internment of enemy persons and vessels, 212.

Signal station, neutral, access to, forbidden, 189, 192.

See also Transmission of intelligence.

Signaling device, alien enemy not to have, 228.

Signals :

- exchange of, 174.
- international, to be displayed by submarine in neutral waters, 194, 195, 216.
- port, 124.
- vessels in neutral waters to answer to, 193.

Sinking at sight (*see* Destruction, Persons, Submarine warfare, War zone).

Slav cause, treason of Bulgaria to, 209.

Slav people, Russian interest in, 208, 209.

Slavism, enemies of, 209.

Small nations, rights of, 116, 181, 197, 212.

Smyrna, closed port, 217.

Society of Union and Progress, Turkey, 17.

Soil, products of (*see* Enemy character).

Solidarity of American Republics (*see* American continent).

Sojourn :

- Argentine Republic, General orders relating to, 22, 23, 29.
- Brazil, decree relating to, 62.
- Chile, decree relating to, 69.
- of armed merchant vessels, 23.
- of belligerent war vessels—
 - authorization for required, 187.
 - decree requiring declaration, repealed, 62.
 - duration of stay—
 - twenty-four hour rule, 24, 31, 32, 185, 217, 244.
 - to be declared, 187.
 - forbidden, 217.
 - forbidden in proclaimed ports, 184.
 - in Panama Canal Zone, 196, 244.
 - interval between departure of vessels of opposing belligerents—
 - twenty-four hour interval rule, 24, 185, 218.
 - licensed pilots to be employed during, 80, 82, 186.
 - local regulations to be observed during, 82, 186, 218.
 - not to cast anchor, 24.

Sojourn—Continued.

- of belligerent war vessels—Continued.
 - number of vessels in port at one time—
 - three-vessel rule, 185, 187, 217.
 - three-vessel rule applied to Panama Canal Zone, 245.
 - partiality alleged, 104.
 - to be reported, 196.
 - to take designated anchorage, 188.
 - See also* Asylum, Base of Operations, Coaling, Prizes, Provisioning.
- of hospital ship, 185.
- of merchant vessel, to declare nature of voyage and destination, 85, 86.
- of nonbelligerent war vessels—
 - anchorage permit may be revoked, 188.
 - duration of stay—
 - fourteen days, 187.
 - in war port, eight days, 187.
 - local regulations to be observed, 189.
 - may be required to leave at expiration of six hours, 188.
 - special exemptions—
 - carrying chief of state, 188.
 - immediate danger from sea, 188.
 - inspecting fisheries, 188.
 - engaged in scientific work, 188.
- of privateers, forbidden, 186.
- of prizes, 218.
- of scientific, religious, and philanthropic vessels, 185.
- of submarines, forbidden, 98, 194, 195, 214, 215.
- of vessels violating neutrality, forbidden, 70, 184.
- Norway regulations relating to, 184, 187.
- Sovereignty, respect for, 184, 197, 217.
- Spain, decree, sojourn of submarines, 212, 214.
- Spanish language, permitted in telegrams, 24, 26, 35, 36.
- Starvation, war by, 108, 114.
- Strade Bianchi, line, 174.
- Straits of Messina, navigation in, 174.
- Straits, Turkish, treaties relating to, 219.
- Strategic area (*see* Commercial restrictions, Defensive sea areas; Mined areas, War zones).
- Strategical boundaries (*see* Boundaries).
- Strategical interests, justify violation of international law, 58.
- Stress of weather (*see* Asylum).
- Strict accountability, 181.
- Strict neutrality (*see* Neutrality, strict).
- Submarine mines (*see* Mines).
- Submarine vessels:
 - France, memorandum relating to sojourn of, 98.
 - Norway, resolution relating to, 194.
 - Ordinance relating to, 195.
 - of belligerent nationality—
 - attacks by without warning, 154.
 - deficiencies of in commercial warfare, 137.
 - effect of on development of international law, 213.
 - evidence for distinguishing war and merchant, 99, 215.
 - forbidden in neutral waters, 194, 195, 214, 215.
 - forbidden to approach merchant vessel, 154.
 - internment of, 99, 214.
 - liability to attack in neutral waters, 194, 195, 215.

Submarine vessels—Continued.

of belligerent nationality—Continued.

merchant, sojourn of, 194.

navigation in straits, 174.

peculiarities of, 98.

unrestricted use of, 112.

use of false flag by, 154.

when to be attacked in defense, 154.

of nonbelligerent nationality—

navigation in territorial waters, 214.

sojourn of, 195.

Spain, decree relating to, 212, 214.

Sweden, decree relating to, 215.

United States, note relating to sojourn of, 98.

Submarine warfare :

contrary to international law, 73, 76, 137, 198.

contrary to principles of humanity, 73, 76.

denounced, 61, 64, 70, 71, 72, 138, 161, 180, 199, 222.

extension of, 250.

in neutral waters, 161.

protest against, 173, 213.

See also Destruction, War Zone.

Suez Canal :

fortification of, 222.

neutralization of, 222.

Sultan Osman, Turkish vessel seized in England, 219.Supplying vessels (*see* Base of Operations, Provisioning).*Sussex*, vessel sunk by submarine, 222.*Sussex* note, 222, 224.

Surrender, evidences of, 154.

Sweden :

hostilities with Norway rendered impossible, 189.

mined areas, 215.

neutrality, joint declaration, 183, 189.

sojourn of submarines, 215.

Swedish language, telegrams in, permitted, 191, 192.

Swedish minister :

in charge of Bulgarian interests in England, 119.

in charge of United States interests in Turkey, 229.

Switzerland :

neutrality declaration, 216.

neutrality of, recognized, 233.

Syria, blockade of, 92.

Telegraphy :

Argentine Republic, circular relating to, 24.

censorship of, 193.

Norway—

law relating to, 193.

resolution relating to, 191.

use of cipher, forbidden, 24.

See also Transmission of Intelligence ; Radiotelegraphy ; Treaties.

Telephone, regulation of, 192.

Territorial propinquity (*see* Neighborly relations ; Territory, neutral, near to enemy).

Territorial waters :

belligerent—

jurisdiction of enemy vessels in, 146.

liability of enemy vessels in, 145.

Territorial waters—Continued.

neutral—

- belligerent merchant vessel to declare port of destination on leaving, 29.
- belligerent submarines forbidden in, 98, 99, 194, 195, 214, 215.
- debarkation and gun practice forbidden in, 188.
- defined, 215.
- entry to, forbidden, 217.
- escort of vessels from, 23.
- excluded from belligerent mined areas, 133, 134.
- excluded from belligerent war zones, 115.
- flag to be displayed by vessel in, 193.
- hostilities in forbidden, 23, 79, 184, 218.
- inner, belligerent vessels not to enter, 184, 217.
- innocent passage through, permitted, 185.
- licensed pilots to be used in, 80.
- local regulations to be observed in, 186.
- measures to prevent aggression in, 22.
- of Panama Canal Zone, 244, 245.
- prize court not to be established in, 186.
- proclaimed, entrance to forbidden, 184.
- sale of vessels to belligerent in, forbidden, 79.
- use of, by belligerent, authorized, 77, 162, 249.
- use of, by submarines, 161.
- visit by neutral, of vessels in, authorized, 193.
- visit and search by belligerent in, forbidden, 218.
- See also* Asylum; Base of Operations; Coaling; Port; Prizes; Provisioning; Radiotelegraphy; Sojourn; Territory.

Territory:

- acquisition of, 205.
- annexation of, 113, 119.
- cession of, by Austria, demanded, 166.
- concessions by Austria to Italy, 166.
- defense of, justified war, 78.
- enemy, defined, 95, 158, 173.
- neutral—
 - acts favoring belligerent in, forbidden, 79, 162.
 - aircraft require permit in, 192.
 - coaling stations not to be established in, 30, 186, 218.
 - Denmark, laws relating to protection of, 79, 80.
 - duty to prevent hostile acts in, 22.
 - enlistment for belligerent service in, forbidden, 79, 178.
 - foreign flag may be displayed by consuls and diplomatic officers in, 83.
 - foreign flag may not be displayed in, 83.
 - hostilities in, ~~forbidden~~, 22, 33, 218.
 - incitement against belligerent in, forbidden, 84.
 - inviolability of, 216, 233.
 - near to enemy, goods destined to, 95, 142, 202.
 - Norway, resolutions for protection of, 192, 193, 194.
 - operation of foreign military intelligence department in, ~~forbidden~~, 79.
 - prize court, not to be established in, 186, 218.
 - radio station not to be established in, 186, 219.
 - recruiting in, forbidden, 79, 178.
 - solicitation of belligerent loans in, forbidden, 79.
 - transit of troops through, demanded, 87, 102, 104.
 - violated by passage of belligerent aviators, 103.

Territory—Continued.

neutral—Continued.

violation of, 53, 86, 101, 103, 104, 116, 161, 182.

use of, by belligerent authorized, 77, 162.

See also Base of operations; Neutrality; Territorial waters;

Transmission of intelligence.

neutralized (*see* Neutralization).

occupied by the enemy, 95, 158, 173.

Teutonic powers (*see* Triple Alliance).Three months' rule (*see* Coaling).Three-vessel rule (*see* Sojourn).Torpedo boats (*see also* Vessels), 174.Trade (*see* Commercial restrictions).

Trading with the enemy, forbidden, 158.

See also Commercial restrictions.

Trading with the enemy act:

Great Britain (1914, 1915), 158, 159.

United States (1917), referred to, 225.

Traditional aspirations (*see also* Nationality), 167.

Traditions, national, safeguarding of, 167.

Transfer of flag:

Argentine Republic, general order relating to, 30.

danger to neutral, 63.

Denmark, notification relating to, 84.

forbidden, 30, 84.

permitted if in good faith, 30.

war vessel, 219.

See also False flag.Transportation of vessels (*see* Conversion).

Transmission of intelligence:

abuse of diplomatic privilege, 38.

censorship, 33, 193.

cipher messages forbidden, 24, 26, 191.

cipher messages permitted for governmental service, 24.

diplomatic dispatches may be sent in ciphers, 29.

languages to be used in, 26, 35, 86, 191, 192.

means of, not to be established in neutral territory, 186, 219.

messages violating neutrality, forbidden, 191.

meteorological messages, permitted, 191.

methods of controlling by neutral, 33.

military information not to be sent from neutral territory, 79, 191, 218.

official dispatches, excepted from regulations, 35.

State monopoly of, 190.

See also Military information, Radiotelegraphy, Telegraphy, Unneutral service.Transport (*see* Vessel).

Treaties:

jurisdiction of prizes, France-Great Britain (1914), 143.

military aid, Austria-Germany, 172.

near eastern question, treaty of Berlin (1878), 38, 204.

Neutralization—

Belgium (1839), 53, 55, 58, 87, 117.

Belgium (1870), 53.

Luxemburg, convention of London (1867), 86, 182.

Switzerland, Final act of Congress of Vienna (1815), 216.

Switzerland, Treaty of Paris (1815), 216.

Peace—

Treaty of Bucharest, Balkans (1913), 67, 69.

Treaty of Lausanne. Italy-Turkey (1912), 169.

Treaties—Continued.

- radiotelegraphy, Treaty of London (1912), 24.
- railway administration, Germany-Luxemburg, 101.
- regulation of Turkish straits, 219.
- Suez Canal (1888), 222.
- telegraphy, Convention of Petrograd (1875), 24, 191.
- Triple Alliance (*see also* Triple Alliance), 164.
- Triple Entente—
 - Morocco and Egypt, Great Britain-France (1904), 220.
 - Persia, Great Britain-Russia (1907), 220.
 - separate peace repudiated (1914), 89.
 - See also* Entente.
- West Africa, General act of Berlin (1885), 56.
- See also* Declaration of London, Declaration of Paris, Hague conventions.

Treaties:

- abrogation of by war, 72, 74, 75, 220.
- accession to, 143, 148.
- adhesion to, 89.
- guarantee of, 54.
- penalty for violation of, 29, 35.
- ratification of, 148.
- to be applied to blockade, 173.
- violation of—
 - by Germany, 54, 55, 86, 87, 142, 159.
 - by Portugal, 105.
 - by Turkey, 169.

Trentino, Italian demands in respect to, 166.

Trieste, Italian demands in respect to, 166.

Triple Alliance:

- defensive character of, 164, 203.
- Italian withdrawal from, 163, 168.
- policy of, 164.
- Roumanian adhesion to, 204.
- termination of, 163, 204.
- violation of by Austria-Hungary, 163.
- See also* Austria-Hungary, Germany, Italy.

Triple Entente (*see* Entente, France, Great Britain, Russian).

Tripoli, 169.

Troops (*see* Armed forces, Unneutral service).

Tsing Tau:

- hostilities at, 51.
- raising of blockade of, 177.

Tubantia, Dutch vessel sunk by submarine, 61.

Turco-Italian war (1911), referred to, 168.

Turkey:

- acceptance of Italian ultimatum, 170.
- ally of Germany, 229.
- annihilation of, Entente war aim, 111.
- atrocities in Arabia, 18, 22.
- declarations of war, 219, 222.
- diplomatic relations, breaking of, 17.
- dismissal of German military authorities demanded, 208.
- German officers in warships, 220.
- Holy war proclaimed, 220.
- hostilities in Egypt, 221.
- neutrality declaration, 217.
- neutrality regulations, 217.
- purchase of war vessels from Germany, 219.

Turkey—Continued.

- recognition of, 17.
- rule of, in Arabia, 20, 22.
- threat of collective punishment of, 220.
- violation of promise to Italy, 171.
- violation of treaty, 169.

See also Declarations of war; Diplomatic relations, breaking of.

Twenty-four hour rule (*see* Sojourn).

Ubangi, hostilities in, 56.

Ultimata:

- Austria-Hungary to Serbia (1914), 88, 165.
- reply of Serbia, 42.
- Germany—
 - to Belgium (1914), 86, 101.
 - to France (1914), 103.
 - to Russia, (1914), 100.
- Great Britain to Germany (1914), 116.
- Italy to Turkey (1915), 170.
- Japan to Germany (1914), 175.
- Russia to Bulgaria (1915), 208.

Ultimate destination (*see* Continuous voyage, Destination).

Ultimatum:

- justification for—
 - mobilization of forces by adversary, 100.
 - perpetual menace to tranquillity, 39.
 - self-defense, 102.
 - subordination to enemy, 209.

United States:

- alien enemy not to attack policy of, 228.
- alien enemies, treatment of, 226.
- arming merchant vessels authorized, 225.
- declarations of war, 16, 177, 196, 225, 226, 230.
- declaration of war approved, 37, 65, 162, 197, 251.
- defensive sea areas, 233, 237, 240, 241.
- desire for peace, 112.
- diplomatic officer in charge of—
 - Austrian interests in Belgium, 51.
 - Austrian interests in France, 88.
 - Austrian interests in Japan, 52.
 - Belgian interests in Turkey, 59.
 - German interests in Russia, 101.
 - Italian interests in Turkey, 171.
- diplomatic relations, breaking of, 17, 222, 224, 229.
- extent of jurisdiction, 229, 232.
- neutrality of Switzerland, recognized, 233.
- Panama Canal Zone, 241, 243.
- political principles of, 162, 197, 198, 224, 227, 231.
- requisition of enemy vessels, 246, 248.
- Shipping Board, 246, 247, 248.
- sojourn of submarines, note relating to, 98.
- Trading with the Enemy act, 225.
- vessels of, permitted in war zone on conditions, 111.

See also Declarations of war; Diplomatic relations, breaking of.

Unneutral service:

- assistance to the enemy, 203.
 - carriage of dispatches, 151.
 - carriage of troops, 151.
 - radio messages at sea, 27.
- See also* Dispatches. Radiotelegraphy. Transmission of intelligence.

- Unneutral utterances, Denmark, law relating to, 84.
- Unseaworthiness (*see* Asylum).
- Uruguay :
 - diplomatic relations, breaking of, 17, 250.
 - neutrality regulations, modification of in war by American country, 249.
 - offer of ports to United States war vessels, 198.
 - political principles of, 249.
- Valona, Italian demands in reference to, 166.
- Venezelos, premier of Greece, 161.
- Venezuela :
 - attitude toward war, 251.
 - neutrality of, 250.
- Vessels :
 - allied, liability of, 151.
 - armed (*see* Armed merchant vessels).
 - auxiliary—
 - defined, 243.
 - evidence of, 30, 31, 32, 86.
 - treated as war vessel, 23.
 - belligerent public—
 - assistance of, in neutral waters forbidden, 79.
 - enlistment on, forbidden to neutrals, 82.
 - belligerent merchant, to declare destination, 29.
 - Brazil, decree authorizing taking over of national, 63.
 - capable of conversion (*see also* Conversion), 203.
 - captured (*see* Prize).
 - Denmark—
 - notification relating to service on, 82.
 - law, false declaration of destination, 82, 85.
 - law, registration of, 83.
 - notification, sale of, 84.
 - disposal of (*see* Capture, Condemnation, Destruction, Detention, Internment, Requisition, Sale).
 - enemy merchant—
 - forbidden in Panama Canal, 245.
 - neutral and national cargo on, 201.
 - requisition of, 200, 246.
 - to be destroyed in war zone, 107, 109.
 - evidences of character, 137, 152.
 - hospital, 185, 243.
 - used in mine laying, 127.
 - interned (*see also* Internment), 30, 194.
 - merchant—
 - Dominican Republic, decrees relating to clearance of, 85, 86.
 - endangered in military area (*see also* War zone), 127.
 - giving false destination punished, 82.
 - in neutral waters, to furnish information on demand, 193.
 - respect for, in war zone, 225.
 - right to resist visit and search (*see* Visit and search).
 - taking over of, 63.
 - to declare destination, 85, 86.
 - See also* Merchant marine.
 - national, merchant—
 - jurisdiction over, 146.
 - requisition of, by neutral state, 64.
 - neutral, merchant—
 - endangered in war zone, 107, 109, 111, 115.
 - detention of, with goods of enemy character, 95.

Vessels—Continued.

neutral, merchant—Continued.

- in enemy service, 219.
- liability of (*see* Blockade, Contraband, Enemy character, Unneutral service).
- liability of, on voyage subsequent to offense, 140.
- See also* Continuous voyage.
- restrictions on use of radiotelegraphy, 28, 34.
- treatment of enemy goods on, 203.
- sale of, to belligerent, 104.
- urged to touch at belligerent port, 121.
- neutral war, access to, forbidden, 189, 192.
- Norway, notification, surveillance of, 193.
- privateers, 186.
- registration of, in neutral country, forbidden, 83.
- scientific, religious, and philanthropic, 185.
- submarine (*see* Submarine vessels).
- torpedo boats, navigation in straits, 174.
- transfer of (*see* Transfer of flag).
- transport, 243.
- violating neutrality, forbidden in neutral ports, 184.
- war—
 - carrying chief of state, 188.
 - defined, 243.
 - hydrographic work, 188.
 - inspecting fisheries, 188.
 - navigation in straits, 174.
 - scientific work, 188.
 - statement in reference to, required by neutral, 187.
 - See also* Asylum, Base of operations, Coaling, Internment, Navy, Sojourn, Territorial waters.

Vienna, final act of congress of (1815), (*see also* Treaties), 216.

Viken, Danish pilotage station, 81.

Violation:

- of international law (*see* International law).
- of neutrality (*see* Neutrality, Neutralization, Territorial waters).
- of treaties (*see* Treaties).

Virgin Islands, American, enemy vessels in, not to be requisitioned, 246, 248.

Visit and Search:

- authorized by neutral, in its territorial waters, 193.
- forbidden in neutral waters, 218.
- required in commercial warfare, 223, 225.
- resistance to—

- German prize regulations on, 153.
- right of, 153, 223.
- rules for offering by armed merchant vessel, 154.
- to cease of surrender of attacking vessel, 154.

Vital interests, justify violation of international law, 109, 180.

War:

- attitude of neutral states on (*see* Neutral States, Neutrality proclamations).
- cooperation to prevent, 113.
- economic, after the war, 113.
- effect of on treaties, 72, 74, 75, 220.
- Holy (*see* Holy war).
- object of, to restore peace, 73.
- reluctance to declare, 73.
- threatening danger of, 103.
- time of commencement of, 225.
- See also*, Armed force, Declarations of war; Hostilities.

- War aims :**
 of Bulgaria, 69.
 of Germany, 113.
 of Entente, 111, 114.
- War material** (*see* Arms and munitions).
- War of 1914 :**
 Austria-Hungary responsible for, 164.
 concern of neutrals in, 181.
- War ports**, 184, 187.
- War zone, Germany :**
 Arctic Ocean (1917), 115.
 based on retaliation, 109.
 contrary to international law, 94, 142, 198, 199.
 contrary to treaties, 142.
 days of grace in, 110, 111, 115, 127.
 declarations of, 107, 110, 115.
 denounced, 137, 141.
 destruction of enemy merchant vessels in, authorized, 107.
 destruction of all merchant vessels in, authorized, 112, 223.
 destruction of neutral vessels in, 72.
 Eastern Mediterranean (1917), 110, 223.
 gives right of retaliation, 138.
 neutrals warned to avoid, 110.
 protection of vessels in, 225.
 referred to as blockade, 115.
 waters around—
 Africa, West coast (1913), 115.
 Azores Islands (1917), 115.
 British Isles (1915, 1917), 107, 110, 223.
 Cape Verde Islands (1918), 115.
 Dakar (1918), 115.
 France (1917), 110, 223.
 Italy (1917), 110, 223.
 Madeira Islands (1917), 115.
- War zone, Great Britain :**
 announcement of military area, 126.
 denounced, 108.
 North sea (1914), 127.
See also Blockade; Commercial restrictions; Defensive sea areas;
 Mined areas.
- Warfare, means of :**
 expanding bullets, forbidden, 154.
 explosive bullets, forbidden, 154.
See also, Blockade; Bombs; Hague conventions, 1907, IV; Mines;
 Starvation; Submarine vessels; War zone.
- Warning, attacks without** (*see* Submarine warfare, Aircraft).
- Wars** (*see* Balkan war (1912-1913), Turco-Italian war (1911), War of 1914).
- Waters, territorial** (*see* Territorial waters).
- Wilson, Woodrow, President of the United States ;**
 addresses of referred to, 197, 198, 224.
 Executive orders by, 233, 240, 241, 246, 248.
 proclamations by, 227, 231, 243.
 regulations by, 237.
- Wireless telegraphy** (*see* Radiotelegraphy).
- Zemora** British prize case, 156.

